

**House File 45 - Introduced**

HOUSE FILE 45  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 1)

**A BILL FOR**

1 An Act relating to public funding and regulatory matters and  
2 making, reducing, and transferring appropriations and  
3 revising fund amounts and including effective, retroactive,  
4 and other applicability date provisions, and making  
5 penalties applicable.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

TAX RELIEF FUND

1  
2  
3 Section 1. Section 8.55, subsection 2, Code 2011, is amended  
4 to read as follows:

5 2. a. The maximum balance of the fund is the amount equal  
6 to two and one-half percent of the adjusted revenue estimate  
7 for the fiscal year. If the amount of moneys in the Iowa  
8 economic emergency fund is equal to the maximum balance, moneys  
9 in excess of this amount shall be transferred to the ~~general~~  
10 tax relief fund.

11 b. Notwithstanding paragraph "a", any moneys in excess of  
12 the maximum balance in the economic emergency fund after the  
13 distribution of the surplus in the general fund of the state  
14 at the conclusion of each fiscal year shall not be transferred  
15 to the ~~general~~ tax relief fund ~~of the state~~ but shall be  
16 transferred to the senior living trust fund. The total amount  
17 appropriated, reverted, or transferred, in the aggregate, under  
18 this paragraph, section 8.57, subsection 2, and any other law  
19 providing for an appropriation or reversion or transfer of an  
20 appropriation to the credit of the senior living trust fund,  
21 for all fiscal years beginning on or after July 1, 2004, shall  
22 not exceed the amount specified in section 8.57, subsection 2,  
23 paragraph "c".

24 Sec. 2. NEW SECTION. 8.57E Tax relief fund.

25 1. The tax relief fund is created. The fund shall be  
26 separate from the general fund of the state and the balance in  
27 the fund shall not be considered part of the balance of the  
28 general fund of the state. The moneys credited to the fund  
29 are not subject to section 8.33 and shall not be transferred,  
30 used, obligated, appropriated, or otherwise encumbered except  
31 as provided in this section.

32 2. Moneys in the tax relief fund shall only be used as  
33 pursuant to appropriations made by the general assembly to  
34 reduce taxes.

35 3. a. Moneys in the fund may be used for cash flow purposes

1 during a fiscal year provided that any moneys so allocated are  
2 returned to the fund by the end of that fiscal year.

3     **b.** Except as provided in section 8.58, the tax relief fund  
4 shall be considered a special account for the purposes of  
5 section 8.53 in determining the cash position of the general  
6 fund of the state for the payment of state obligations.

7     4. Notwithstanding section 12C.7, subsection 2, interest  
8 or earnings on moneys deposited in the tax relief fund shall  
9 be credited to the fund.

10     Sec. 3. Section 8.58, Code 2011, is amended to read as  
11 follows:

12     **8.58 Exemption from automatic application.**

13     1. To the extent that moneys appropriated under section  
14 8.57 do not result in moneys being credited to the general  
15 fund under section 8.55, subsection 2, moneys appropriated  
16 under section 8.57 and moneys contained in the cash reserve  
17 fund, rebuild Iowa infrastructure fund, environment first  
18 fund, ~~and~~ Iowa economic emergency fund, and tax relief fund  
19 shall not be considered in the application of any formula,  
20 index, or other statutory triggering mechanism which would  
21 affect appropriations, payments, or taxation rates, contrary  
22 provisions of the Code notwithstanding.

23     2. To the extent that moneys appropriated under section  
24 8.57 do not result in moneys being credited to the general fund  
25 under section 8.55, subsection 2, moneys appropriated under  
26 section 8.57 and moneys contained in the cash reserve fund,  
27 rebuild Iowa infrastructure fund, environment first fund, ~~and~~  
28 Iowa economic emergency fund, and tax relief fund shall not be  
29 considered by an arbitrator or in negotiations under chapter  
30 20.

31     Sec. 4. TAX RELIEF FUND — LEGISLATIVE INTENT. It is the  
32 intent of the general assembly to enact appropriations from the  
33 tax relief fund created by this division of this Act pursuant  
34 to tax relief legislation which shall be proposed by the  
35 standing committees on ways and means of the senate and house

1 of representatives.

2 Sec. 5. EFFECTIVE DATE AND APPLICABILITY.

3 1. This division of this Act, being deemed of immediate  
4 importance, takes effect upon enactment.

5 2. The amendment in this division to section 8.55, providing  
6 for transfer of moneys from the Iowa economic emergency fund  
7 to the tax relief fund instead of the general fund of the state  
8 applies to transfers made from the Iowa economic emergency fund  
9 after the effective date of this division and the state general  
10 fund expenditure limitation calculated for the fiscal year  
11 beginning July 1, 2011, shall be adjusted accordingly.

12 DIVISION II

13 UNIFORM PROVISIONS

14 Sec. 6. GROUP HEALTH INSURANCE PREMIUM COSTS FOR STATE  
15 EMPLOYEES.

16 1. The state's executive and judicial branch authorities  
17 responsible for negotiating the collective bargaining  
18 agreements entered into under chapter 20 shall engage in  
19 discussions with the applicable state employee organizations  
20 to renegotiate provisions involving health insurance coverage  
21 of state employees and their families in order to achieve cost  
22 savings for the state. The discussions shall include but  
23 are not limited to a requirement for a state employee who is  
24 covered by a collective bargaining agreement and is a member of  
25 state group health insurance plan for employees of the state  
26 established under chapter 509A to pay at least one hundred  
27 dollars per month of the total premium for such health plan  
28 coverage for single persons or increase the amount paid per  
29 month for family coverage by the same amount that would be paid  
30 for the single persons coverage.

31 2. If collective bargaining agreements are renegotiated  
32 to achieve cost savings pursuant to subsection 1, the cost  
33 savings provisions shall also apply to state employees who are  
34 not covered by collective bargaining as provided in chapter  
35 20 and are members of a state group health insurance plan for

1 employees of the state established under chapter 509A.

2 3. Beginning on the effective date of this section or  
3 March 1, 2011, whichever is earlier, a state legislator or  
4 legislative staff member who is a member of a state group  
5 health insurance plan for employees of the state established  
6 under chapter 509A shall pay at least one hundred dollars per  
7 month of the total premium for such health care coverage for  
8 single persons or increase the amount paid per month for family  
9 coverage by the same amount that would be paid for the single  
10 persons coverage. The payment amount shall be determined  
11 by the legislative council, subject to the minimum amount  
12 specified in this subsection.

13 Sec. 7. STATE AGENCY OFFICE SUPPLIES, OUTSIDE SERVICES  
14 PURCHASE, EQUIPMENT PURCHASES, PRINTING AND BINDING,  
15 INFORMATION TECHNOLOGY, AND MARKETING.

16 1. For the purposes of this section, "department" means the  
17 same as defined in section 8.2.

18 2. a. For the period beginning on the effective date of  
19 this section through the close of the fiscal year ending on  
20 June 30, 2011, each state department shall be subject to a  
21 limitation on expenditures made on or after the effective date  
22 of this section for office supplies, outside services purchase,  
23 purchases of equipment, office equipment, and equipment  
24 noninventory, printing and binding, information technology, and  
25 marketing in accordance with this section.

26 b. The limitation shall be equal to 50 percent of the  
27 unexpended or unencumbered amount that a department has  
28 budgeted or otherwise designated for purposes of office  
29 supplies, outside services purchase, purchases of equipment,  
30 office equipment, and equipment noninventory, printing and  
31 binding, information technology, and marketing from the  
32 appropriations made from all sources for the fiscal year  
33 beginning July 1, 2010, and ending June 30, 2011, to the  
34 department from all sources, as of the effective date of this  
35 section.

1 c. If another provision of this Act directs a department  
2 to apply a limitation on expenditures made for information  
3 technology or reduces the information technology portion of  
4 an appropriation made to the department, such limitation or  
5 reduction shall be in lieu of the limitation on expenditures  
6 for information technology otherwise applicable under  
7 this subsection. The limitation on information technology  
8 expenditures otherwise required by this subsection does not  
9 apply to services provided by the public broadcasting division  
10 of the department of education or such expenditures for  
11 information technology previously approved for the division.

12 3. For the period beginning on the effective date of this  
13 section through the close of the fiscal year ending on June 30,  
14 2011, out-of-state travel by an employee of a department, which  
15 travel is funded in whole or in part by an appropriation from  
16 the general fund of the state, shall not be authorized unless  
17 a waiver for the travel is approved by the executive council.  
18 The executive council shall adopt waiver criteria based on the  
19 relative importance of the travel to fulfilling statutorily  
20 required duties, the potential for the travel to bring cost  
21 savings or enhanced revenues for the state, and other means  
22 to determine whether the benefit or potential benefit of the  
23 travel significantly outweighs the potential cost.

24 4. The committees on appropriations of the senate and  
25 house of representatives shall recommend legislation applying  
26 a directive for the executive branch to implement a master  
27 marketing contract for state agencies that commences on or  
28 before July 1, 2011.

29 5. The reductions in appropriations made in another  
30 division of this Act, by amendment to 2010 Iowa Acts, chapter  
31 1183, section 10, applicable to the state board of regents  
32 and institutions under the state board, are in lieu of the  
33 limitations on expenditures and travel that would otherwise be  
34 applied to the state board and the institutions under the state  
35 board pursuant to this section.

1 6. The appropriations to which the expenditure reductions  
2 required by this section are attributed shall be reduced by the  
3 amount of the expenditure reductions. Within 30 days of the  
4 enactment date of this section, the department of management  
5 shall apply such appropriation reductions and shall submit a  
6 report to the general assembly and legislative services agency  
7 itemizing the expenditure and appropriation reductions applied.

8 Sec. 8. STATE RECORDS STORAGE. The agencies of state  
9 government that have state records stored in locations within  
10 flood plains shall, within six months of the effective date of  
11 this storage, find storage space for the records that is not  
12 located within a flood plain.

13 Sec. 9. REVENUE ESTIMATING CONFERENCE MEETING. Upon the  
14 request of the speaker of the house of representatives or  
15 the majority leader of the senate, the revenue estimating  
16 conference shall meet on a date in February or March 2011, as  
17 specified in the request. At this meeting, in addition to the  
18 estimates normally agreed to at the meetings of the conference,  
19 the conference shall also agree on estimates for fiscal year  
20 2012-2013.

21 Sec. 10. Section 7E.3, Code 2011, is amended by adding the  
22 following new subsection:

23 NEW SUBSECTION. 5. *Adult unauthorized aliens.* Unless  
24 expressly authorized by federal or state law, ensure that the  
25 public benefits administered by the department or independent  
26 agency are not provided to adults who are unauthorized aliens  
27 not lawfully present in the United States.

28 Sec. 11. NEW SECTION. 8A.440 **Group health insurance premium**  
29 **costs.**

30 1. Collective bargaining agreements entered into pursuant  
31 to chapter 20 for state employees shall provide that a state  
32 employee covered by that agreement who is a member of a  
33 state group health insurance plan for employees of the state  
34 established under chapter 509A shall pay at least one hundred  
35 dollars per month of the total premium for such insurance for

1 single persons or increase the amount paid per month for family  
2 coverage by the same amount that would be paid for the single  
3 persons coverage.

4 2. A state employee not covered by a collective bargaining  
5 agreement as provided in chapter 20 who is a member of a  
6 state group health insurance plan for employees of the state  
7 established under chapter 509A shall pay the same amount per  
8 month of the total premium for such insurance as is paid under  
9 the collective bargaining agreement that covers the greatest  
10 number of state employees in the state government entity  
11 employing the state employee.

12 Sec. 12. Section 68B.8, Code 2011, is amended by adding the  
13 following new unnumbered paragraph:

14 NEW UNNUMBERED PARAGRAPH. A state agency of the executive  
15 branch of state government shall not employ a person through  
16 the use of its public funds whose position with the agency is  
17 primarily representing the agency relative to the passage,  
18 defeat, approval, or modification of legislation that is being  
19 considered by the general assembly.

20 Sec. 13. APPLICABILITY. The provision of this division  
21 of this Act enacting section 8A.440, applies to collective  
22 bargaining agreements entered into on or after the effective  
23 date of this division of this Act.

24 Sec. 14. EFFECTIVE UPON ENACTMENT. This division of this  
25 Act, being deemed of immediate importance, takes effect upon  
26 enactment.

27 DIVISION III

28 ADMINISTRATION AND REGULATION

29 Sec. 15. JOINT APPROPRIATIONS SUBCOMMITTEE ON  
30 ADMINISTRATION AND REGULATION REQUIREMENTS. The joint  
31 appropriations subcommittee on administration and regulation  
32 shall develop and, on or before April 4, 2011, shall submit  
33 recommended implementation provisions to the general assembly's  
34 committees on appropriations in proposed legislation concerning  
35 all of the following:

1 1. Eliminating and selling the pool of state-owned  
2 passenger vehicles located in Polk county for temporary  
3 assignment to multiple drivers of a department or agency that  
4 is located within Polk county. The recommendations shall not  
5 encompass vehicles assigned for law enforcement purposes or for  
6 specialized use by the department of natural resources.

7 2. Outsourcing state vehicle leasing through a private  
8 entity to fill the needs addressed by the vehicles subject to  
9 sale under subsection 1.

10 Sec. 16. DEPARTMENT OF ADMINISTRATIVE SERVICES —  
11 STATE-OWNED PASSENGER VEHICLES.

12 1. Consistent with the requirements of section 8A.361, for  
13 the period beginning on the effective date of this section  
14 and ending June 30, 2011, the department of administrative  
15 services shall be the sole department authorized to operate a  
16 pool of passenger vehicles located in Polk county for temporary  
17 assignment to multiple drivers of a state department or agency  
18 that is located within Polk county. For that period, the  
19 department shall not purchase new passenger vehicles for the  
20 pool.

21 2. For purposes of this section, "passenger vehicles"  
22 means United States environmental protection agency designated  
23 compact sedans, compact wagons, midsize sedans, midsize  
24 wagons, full-size sedans, and passenger minivans. "Passenger  
25 vehicles" does not mean utility vehicles, vans other than  
26 passenger minivans, fire trucks, ambulances, motor homes,  
27 buses, medium-duty and heavy-duty trucks, heavy construction  
28 equipment, and other highway maintenance vehicles, vehicles  
29 assigned for law enforcement purposes, vehicles assigned for  
30 specialized use by the department of natural resources, and any  
31 other classes of vehicles of limited application approved by  
32 the director of the department of administrative services.

33 Sec. 17. DEPARTMENT OF ADMINISTRATIVE SERVICES — OFFICE  
34 SPACE — COST-BENEFIT ANALYSIS. Following the filing of the  
35 cost-benefit analysis required pursuant to 2010 Iowa Acts,

1 chapter 1184, section 49, the department of administrative  
2 services shall locate state employees in office space in the  
3 most cost-efficient manner possible. However, the department  
4 shall not pay penalties for the early termination of a lease  
5 for office space outside of the capitol complex.

6 Sec. 18. SALE OR LEASE OF IOWA COMMUNICATIONS NETWORK. The  
7 Iowa telecommunications and technology commission shall  
8 implement a request for proposals process to sell or lease  
9 the Iowa communications network, or to lease capacity on  
10 the network as provided in section 8D.13A. The request for  
11 proposals shall provide for the sale to be concluded or the  
12 lease to commence during the fiscal year beginning July 1,  
13 2011. The commission shall condition the sale or lease of the  
14 Iowa communications network with terms that will allow existing  
15 authorized users of the network to continue such use at a  
16 lower overall long-term cost when compared to the anticipated  
17 operation and maintenance costs if state ownership and control  
18 were to continue. The commission shall ensure that a lease  
19 for capacity on the network is subject to terms and conditions  
20 that will ensure continued access to the network by existing  
21 authorized users while also satisfying the requirements of  
22 section 8D.13A. Public funds shall not be used to secure  
23 the purchase of the network. The commission shall submit  
24 periodic status reports to the general assembly at three-month  
25 intervals, beginning on October 1, 2011, regarding progress  
26 made toward selling or leasing the network.

27 Sec. 19. TRANSFER FROM CASH RESERVE FUND. Any amount  
28 transferred by the department of management from the cash  
29 reserve fund pursuant to 2010 Iowa Acts, chapter 1193, section  
30 28, to an appropriation made from any source to the Iowa ethics  
31 and campaign disclosure board for the fiscal year beginning  
32 July 1, 2010, and ending June 30, 2011, is transferred to the  
33 cash reserve fund on the effective date of this section.

34 Sec. 20. NEW SECTION. 8D.13A Lease of network capacity.

35 1. Notwithstanding any provision of this chapter to the

1 contrary, the commission is authorized to enter into leases to  
2 provide access to the network to qualified providers who are  
3 not otherwise authorized to use the network for the purpose of  
4 reselling that access on a wholesale or retail basis. A lease  
5 entered into pursuant to this section shall be in accordance  
6 with terms and conditions agreed to between such provider and  
7 the commission. The commission shall not benefit one provider  
8 over another through the terms and conditions established for  
9 access to the network and each provider shall be responsible  
10 for all costs associated with becoming a part of the network or  
11 using the network to deliver services on a wholesale or retail  
12 basis.

13 2. Leases entered into pursuant to this section shall  
14 be based upon terms that comply with all of the following  
15 requirements:

16 a. Sufficient revenue is provided to cover the costs of  
17 network operation as determined by the commission.

18 b. Access to network capacity is provided at a cost to  
19 the qualified providers that results in lower costs to the  
20 customers of such providers.

21 3. Notwithstanding section 8D.14, subsection 1, at the  
22 close of each fiscal year, the commission shall transfer to the  
23 general fund of the state all remaining funds after the payment  
24 of the expenses of operating and maintaining the network which  
25 shall include but is not limited to retention of sufficient  
26 funds to cover sixty days of network costs.

27 Sec. 21. 2010 Iowa Acts, chapter 1189, section 7, is amended  
28 to read as follows:

29 SEC. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There  
30 is appropriated from the general fund of the state to the  
31 Iowa ethics and campaign disclosure board for the fiscal year  
32 beginning July 1, 2010, and ending June 30, 2011, the following  
33 amount, or so much thereof as is necessary, for the purposes  
34 designated:

35 For salaries, support, maintenance, and miscellaneous

1 purposes, and for not more than the following full-time  
2 equivalent positions:

3 .....	\$	537,256
4 .....		475,608
5 .....	FTEs	5.00
6 .....		4.00

7 Sec. 22. 2010 Iowa Acts, chapter 1193, section 29, is  
8 amended to read as follows:

9 SEC. 29. DEPARTMENT OF ADMINISTRATIVE SERVICES —

10 INFORMATION TECHNOLOGY. There is appropriated from the general  
11 fund of the state to the department of administrative services  
12 for the fiscal year beginning July 1, 2010, and ending June 30,  
13 2011, the following amount, or so much thereof as is necessary,  
14 to be used for the purposes designated:

15 For implementing 2010 Iowa Acts, Senate File 2088, division  
16 I, including salaries, support, maintenance, and miscellaneous  
17 purposes:

18 ..... \$ 2,300,000

19 1. For the period beginning on the effective date of this  
20 section through June 30, 2011, the department of administrative  
21 services shall be subject to a limitation on expenditures made  
22 for information technology procurement equal to 50 percent  
23 of the unexpended or unencumbered amount remaining from the  
24 appropriation made in this section, as of the effective date of  
25 this section.

26 2. Notwithstanding any provision to the contrary,  
27 commencing with the fiscal year beginning July 1, 2011,  
28 the department of management shall designate the department  
29 of administrative services as the provider for information  
30 technology services for purposes of providing such services to  
31 agencies and other governmental entities with the following  
32 exceptions:

33 a. The office of the governor or the office of an elective  
34 constitutional or statutory officer.

35 b. The general assembly, or any office or unit under its

1 administrative authority.

2 c. The judicial branch, as provided in section 602.1102.

3 d. A political subdivision of the state or its offices  
4 or units, including but not limited to a county, city, or  
5 community college.

6 e. The state board of regents and institutions operated  
7 under the authority of the state board of regents.

8 f. The department of public defense, including both the  
9 military division and the homeland security and emergency  
10 management division.

11 3. Pursuant to the procedures provided in section 8A.202,  
12 an agency or other governmental entity may seek a waiver from  
13 receiving information technology services from the department  
14 of administrative services.

15 Sec. 23. EFFECTIVE UPON ENACTMENT. This division of this  
16 Act, being deemed of immediate importance, takes effect upon  
17 enactment.

18 DIVISION IV

19 AGRICULTURE AND NATURAL RESOURCES

20 Sec. 24. DEPARTMENT OF NATURAL RESOURCES — REAL PROPERTY  
21 ACQUISITION CURTAILED.

22 1. Notwithstanding any provision to the contrary, for the  
23 period beginning on the effective date of this section through  
24 the close of the fiscal year ending on June 30, 2011, the  
25 department of natural resources shall not enter into a new  
26 arrangement to acquire or otherwise control real property.

27 2. For the purposes of this section, "new arrangement" means  
28 an obligation entered into on or after the effective date of  
29 this section. An obligation includes but is not limited to  
30 an agreement, contract, lease-purchase arrangement, or any  
31 other instrument leading to state ownership or control of real  
32 property that was not previously owned or controlled by the  
33 state. "New arrangement" does not include a real property  
34 acquisition or control project for which an appropriation to  
35 the department was encumbered prior to the effective date of

1 this section. "New arrangement" does not include a donated  
2 real property acquisition or control project received or  
3 entered into on or after the effective date of this section.

4 3. This section, being deemed of immediate importance,  
5 takes effect upon enactment.

6 Sec. 25. 2010 Iowa Acts, chapter 1191, section 20, is  
7 amended to read as follows:

8 SEC. 20. IOWA RESOURCES ENHANCEMENT AND PROTECTION  
9 FUND. Notwithstanding the amount of the standing appropriation  
10 from the general fund of the state to the Iowa resources  
11 enhancement and protection fund as provided in section  
12 455A.18, there is appropriated from the environment first fund  
13 created in section 8.57A to the Iowa resources enhancement  
14 and protection fund, in lieu of the appropriation made in  
15 section 455A.18, for the fiscal year beginning July 1, 2010,  
16 and ending June 30, 2011, the following amount, to be allocated  
17 as provided in section 455A.19:

18 ..... \$ 15,000,000  
19 11,931,189

20 Sec. 26. EFFECTIVE UPON ENACTMENT. This division of this  
21 Act, being deemed of immediate importance, takes effect upon  
22 enactment.

23 DIVISION V

24 ECONOMIC DEVELOPMENT

25 Sec. 27. Section 15.108, subsection 5, paragraph c, Code  
26 2011, is amended to read as follows:

27 c. Coordinate and develop with the department of  
28 transportation, the department of natural resources, the  
29 department of cultural affairs, ~~the generation Iowa commission,~~  
30 the vision Iowa board, other state agencies, and local and  
31 regional entities public interpretation, marketing, and  
32 education programs that encourage Iowans and out-of-state  
33 visitors to participate in the recreational and leisure  
34 opportunities available in Iowa. The department shall  
35 establish and administer a program that helps connect both

1 Iowa residents and residents of other states to new and  
2 existing Iowa experiences as a means to enhance the economic,  
3 social, and cultural well-being of the state. The program  
4 shall include a broad range of new opportunities, both rural  
5 and urban, including main street destinations, green space  
6 initiatives, and artistic and cultural attractions.

7 Sec. 28. 2010 Iowa Acts, chapter 1184, section 43, is  
8 amended to read as follows:

9 SEC. 43. SAVE OUR SMALL BUSINESSES FUND APPROPRIATION.

10 1. There is appropriated from the school infrastructure  
11 fund created in section 12.82 to the department of economic  
12 development for deposit in the save our small businesses fund  
13 for the fiscal year beginning July 1, 2010, and ending June 30,  
14 2011, the following amount, or so much thereof as is necessary,  
15 to be used for the purposes designated:

16 For purposes of providing financial assistance under the  
17 save our small businesses program under section 15.301:

18 ..... \$ 5,000,000

19 Of the moneys appropriated pursuant to this section, the  
20 department may allocate an amount not to exceed two percent of  
21 the moneys appropriated for purposes of retaining the services  
22 of an organization designated pursuant to section 15.301,  
23 subsection 2, paragraph "b".

24 2. On the effective date of this section of this 2011 Iowa  
25 Act, any unobligated and unencumbered moneys appropriated in  
26 this section shall revert to the school infrastructure fund.

27 Sec. 29. 2010 Iowa Acts, chapter 1186, section 1, subsection  
28 11, is amended to read as follows:

29 11. For membership in North America's supercorridor  
30 coalition:

31 ..... \$ 50,000

32 Beginning July 1, 2011, the department shall not renew  
33 membership in North America's supercorridor coalition.

34 Sec. 30. REPEAL. Sections 15.300 and 15.301, Code 2011,  
35 are repealed.

1 Sec. 31. REPEAL. Section 15.421, Code 2011, is repealed.

2 Sec. 32. GREAT PLACES PROGRAM.

3 1. For the period beginning on the effective date of this  
4 section through the close of the fiscal year ending on June 30,  
5 2011, the department of cultural affairs shall be subject to a  
6 limitation on expenditures made on or after the effective date  
7 of this section for purposes of the great places program in  
8 accordance with this section.

9 2. The limitation shall be equal to any expended or  
10 encumbered amount that the department has budgeted or otherwise  
11 designated for purposes of the great places program, from the  
12 appropriations made for the fiscal year beginning July 1, 2010,  
13 and ending June 30, 2011, to the department from all sources,  
14 as of the effective date of this section.

15 Sec. 33. LOANS — CONTINUED EFFECT. Loans awarded from  
16 the save our small business fund pursuant to section 15.301,  
17 prior to the effective date of this section, shall continue as  
18 provided by the terms of the loans and shall be administered by  
19 the department of economic development.

20 Sec. 34. EFFECTIVE UPON ENACTMENT. This division of this  
21 Act, being deemed of immediate importance, takes effect upon  
22 enactment.

23 DIVISION VI

24 EDUCATION

25 Sec. 35. 2010 Iowa Acts, chapter 1183, section 6, subsection  
26 1, is amended to read as follows:

27 1. GENERAL ADMINISTRATION

28 For salaries, support, maintenance, miscellaneous purposes,  
29 and for not more than the following full-time equivalent  
30 positions:

31 .....	\$	<del>7,096,482</del>
32 .....		<u>7,037,482</u>
33 .....	FTEs	83.67

34 Sec. 36. 2010 Iowa Acts, chapter 1183, section 6, subsection  
35 17, is amended to read as follows:

1 17. CORE CURRICULUM AND CAREER INFORMATION AND  
2 DECISION-MAKING SYSTEM

3 For purposes of implementing the statewide core curriculum  
4 for school districts and accredited nonpublic schools and a  
5 state-designated career information and decision-making system:  
6 ..... \$ 1,901,556  
7 ..... 75,556

8 It is the intent of the general assembly that the  
9 standing committees on education of the senate and house of  
10 representatives shall consider and propose legislation to amend  
11 Iowa law regarding the statewide core curriculum, to take  
12 effect on or before July 1, 2011.

13 UNIVERSITY OF IOWA

14 Sec. 37. 2010 Iowa Acts, chapter 1183, section 10,  
15 subsection 2, paragraph a, is amended to read as follows:

16 a. General university, including lakeside laboratory  
17 For salaries, support, maintenance, equipment, miscellaneous  
18 purposes, and for not more than the following full-time  
19 equivalent positions:  
20 ..... \$217,638,034  
21 ..... 212,964,921  
22 ..... FTEs 5,058.55

23 IOWA STATE UNIVERSITY

24 Sec. 38. 2010 Iowa Acts, chapter 1183, section 10,  
25 subsection 3, paragraph a, is amended to read as follows:

26 a. General university  
27 For salaries, support, maintenance, equipment, miscellaneous  
28 purposes, and for not more than the following full-time  
29 equivalent positions:  
30 ..... \$170,536,017  
31 ..... 166,874,276  
32 ..... FTEs 3,647.42

33 UNIVERSITY OF NORTHERN IOWA

34 Sec. 39. 2010 Iowa Acts, chapter 1183, section 10,  
35 subsection 4, paragraph a, is amended to read as follows:

1 a. General university

2 For salaries, support, maintenance, equipment, miscellaneous  
3 purposes, and for not more than the following full-time  
4 equivalent positions:

5 .....	\$ <del>77,549,809</del>
6 .....	<u>75,884,663</u>
7 .....	FTEs 1,447.50

8 Sec. 40. REGENTS APPROPRIATIONS FOR FISCAL YEARS 2011-2012  
9 AND 2012-2013. It is the intent of the general assembly to  
10 continue the reductions applied to the appropriations made to  
11 the institutions under state board of regents in the amendments  
12 to 2010 Iowa Acts, chapter 1183, section 10, in this division  
13 of this Act for the next two succeeding fiscal years and to  
14 annualize the reductions at an aggregate amount of \$15,000,000  
15 in each of the fiscal years.

16 Sec. 41. REGENTS AND COMMUNITY COLLEGE ADMINISTRATIVE  
17 FUNCTIONS. The joint appropriations subcommittee on education  
18 shall implement provisions to consolidate administrative  
19 functions at the state board of regents and the institutions  
20 under the state board and at the community colleges in order  
21 to reduce the amount that would otherwise be budgeted for such  
22 administrative functions for the fiscal year beginning July 1,  
23 2011, and each fiscal year thereafter.

24 Sec. 42. LIBRARY ACQUISITION FUNDING — DEPARTMENT OF  
25 EDUCATION — STATE LIBRARY.

26 1. For the period beginning on the effective date of this  
27 section through the close of the fiscal year ending on June  
28 30, 2011, the department of education shall be subject to a  
29 limitation on expenditures made on or after the effective date  
30 of this section for library acquisitions at the state library  
31 including digital acquisitions.

32 2. The limitation shall be equal to 50 percent of the  
33 unexpended or unencumbered amount that the department of  
34 education has budgeted or otherwise designated for purposes of  
35 library acquisitions, including digital acquisitions, from the

1 appropriations made to the department from all sources, as of  
2 the effective date of this section.

3 Sec. 43. REGENTS UNIVERSITY LEAVE LIMITATION. For the  
4 period beginning on the effective date of this section and  
5 ending June 30, 2012, the state board of regents shall not  
6 approve paid leaves of absence granted pursuant to section  
7 262.9, subsection 14, for any faculty member.

8 Sec. 44. STATEWIDE VOLUNTARY PRESCHOOL. It is the intent  
9 of the general assembly to fill the needs addressed by the  
10 statewide preschool program for four-year-old children repealed  
11 by this division by expanding the preschool tuition assistance  
12 provided as part of the school ready children grant program  
13 administered through the early childhood Iowa initiative under  
14 chapter 256I.

15 Sec. 45. Section 237A.21, subsection 3, paragraph p, Code  
16 2011, is amended by striking the paragraph.

17 Sec. 46. Section 237A.22, subsection 1, paragraphs f and g,  
18 Code 2011, are amended to read as follows:

19 *f.* Make recommendations for improving collaborations between  
20 the child care programs involving the department and programs  
21 supporting the education and development of young children  
22 including but not limited to the federal head start program,  
23 ~~the statewide preschool program for four-year-old children~~  
24 and the early childhood, at-risk, and other early education  
25 programs administered by the department of education.

26 *g.* Make recommendations for eliminating duplication and  
27 otherwise improving the eligibility determination processes  
28 used for the state child care assistance program and other  
29 programs supporting low-income families, including but not  
30 limited to the federal head start, early head start, and even  
31 start programs; the early childhood, at-risk, and ~~preschool~~  
32 prekindergarten programs administered by the department of  
33 education; the family and self-sufficiency grant program; and  
34 the family investment program.

35 Sec. 47. Section 256.11, subsection 1, paragraph c, Code

1 2011, is amended by striking the paragraph.

2 Sec. 48. Section 257.16, subsection 1, Code 2011, is amended  
3 to read as follows:

4 1. There is appropriated each year from the general fund  
5 of the state an amount necessary to pay the foundation aid  
6 under this chapter, ~~the preschool foundation aid under chapter~~  
7 ~~256C~~, supplementary aid under section 257.4, subsection 2, and  
8 adjusted additional property tax levy aid under section 257.15,  
9 subsection 4.

10 Sec. 49. Section 257.35, Code 2011, is amended by adding the  
11 following new subsection:

12 NEW SUBSECTION. 5A. Notwithstanding subsection 1, and in  
13 addition to the reduction applicable pursuant to subsection  
14 2, the state aid for area education agencies and the portion  
15 of the combined district cost calculated for these agencies  
16 for the fiscal year beginning July 1, 2010, and ending June  
17 30, 2011, and subsequent fiscal years, shall be reduced by the  
18 department of management by ten million dollars. The reduction  
19 for each area education agency shall be prorated based on the  
20 reduction that the agency received in the fiscal year beginning  
21 July 1, 2003.

22 Sec. 50. Section 272.2, subsection 18, Code 2011, is amended  
23 to read as follows:

24 18. May adopt rules for practitioners who are not eligible  
25 for a statement of professional recognition under subsection  
26 10, but have received a baccalaureate degree and provide a  
27 service to students at any or all levels from prekindergarten  
28 through grade twelve for a school district, accredited  
29 nonpublic school, or area education agency, ~~or preschool~~  
30 ~~program established pursuant to chapter 256C.~~

31 Sec. 51. Section 285.1, subsection 1, paragraph a,  
32 subparagraph (3), Code 2011, is amended to read as follows:

33 (3) Children attending prekindergarten programs offered or  
34 sponsored by the district or nonpublic school and approved by  
35 the department of education or department of human services

1 ~~or children participating in preschool in an approved local~~  
2 ~~program under chapter 256C~~ may be provided transportation  
3 services. However, transportation services provided to  
4 nonpublic school children are not eligible for reimbursement  
5 under this chapter.

6 Sec. 52. REPEAL. Chapter 256C, Code 2011, is repealed.

7 Sec. 53. EFFECTIVE DATES.

8 1. The sections of this division of this Act amending Code  
9 sections 237A.21, 237A.22, 256.11, 257.16, 257.35, 272.2, and  
10 285.1 and repealing Code chapter 256C, take effect July 1,  
11 2011, and apply to budget years beginning on or after July 1,  
12 2011.

13 2. The provisions of this division of this Act other than  
14 those addressed by subsection 1, being deemed of immediate  
15 importance, take effect upon enactment.

16 DIVISION VII

17 HEALTH AND HUMAN SERVICES

18 Sec. 54. Section 217.6, Code 2011, is amended by adding the  
19 following new unnumbered paragraph:

20 NEW UNNUMBERED PARAGRAPH. The rules and regulations  
21 adopted for the public benefits and programs administered by  
22 the department of human services shall apply the residency  
23 eligibility restrictions required by federal and state law.

24 Sec. 55. DEPARTMENT ON AGING — PLAN FOR REDUCTION IN  
25 NUMBER OF AREA AGENCIES ON AGING. The department on aging  
26 shall develop a plan for reducing the number of area agencies  
27 on aging in the state to not more than five, to be effective  
28 beginning July 1, 2011. The department shall submit the plan  
29 to the standing committees on human resources of the senate  
30 and house of representatives and the joint appropriations  
31 subcommittee on health and human services on or before February  
32 25, 2011.

33 Sec. 56. JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH  
34 AND HUMAN SERVICES. The joint appropriations subcommittee  
35 on health and human services shall develop and include in

1 appropriations legislation a new reimbursement methodology for  
2 juvenile shelter care providers for use beginning July 1, 2011.  
3 The new reimbursement methodology shall end the practice of  
4 providing reimbursement for unused shelter care beds.

5 HEALTH CARE COVERAGE COMMISSION

6 Sec. 57. 2009 Iowa Acts, chapter 183, section 65, subsection  
7 3, is amended to read as follows:

8 3. There is appropriated from the human services  
9 reinvestment fund for the fiscal year beginning July 1, 2009,  
10 and ending June 30, 2010, the following amount to be used for  
11 the following designated purpose:

12 For the legislative services agency to be used for costs  
13 associated with the legislative health care coverage commission  
14 created in 2009 Iowa Acts, Senate File 389, if enacted, or a  
15 similar legislative commission:  
16 ..... \$ ~~315,000~~  
17 191,820

18 Notwithstanding section 8.33, moneys appropriated in this  
19 subsection that remain unencumbered or unobligated at the close  
20 of the fiscal year shall not revert but shall remain available  
21 for expenditure for the purposes designated until the close of  
22 the fiscal year that begins July 1, 2010.

23 ADDICTIVE DISORDERS

24 Sec. 58. 2010 Iowa Acts, chapter 1192, section 2, subsection  
25 1, unnumbered paragraph 1, is amended to read as follows:

26 For reducing the prevalence of use of tobacco, alcohol, and  
27 other drugs, and treating individuals affected by addictive  
28 behaviors, including gambling, and for not more than the  
29 following full-time equivalent positions:  
30 ..... \$ ~~28,974,840~~  
31 26,574,840  
32 ..... FTEs 18.00

33 Sec. 59. 2010 Iowa Acts, chapter 1192, section 2, subsection  
34 1, paragraph a, is amended to read as follows:

35 a. Of the funds appropriated in this subsection, ~~\$7,438,282~~

1 \$5,038,282 shall be used for the tobacco use prevention and  
2 control initiative, including efforts at the state and local  
3 levels, as provided in chapter 142A.

4 (1) The director of public health shall dedicate sufficient  
5 resources to promote and ensure retailer compliance with  
6 tobacco laws and ordinances relating to persons under 18  
7 years of age, and shall prioritize the state's compliance in  
8 the allocation of available funds to comply with 42 U.S.C.  
9 § 300x-26 and section 453A.2.

10 (2) Of the full-time equivalent positions authorized in  
11 this subsection, 2.00 full-time equivalent positions shall  
12 be utilized to provide for enforcement of tobacco laws,  
13 regulations, and ordinances.

14 (3) Of the funds allocated in this lettered paragraph,  
15 ~~\$1,796,508~~ \$1,197,672 shall be used for youth programs designed  
16 to achieve the goals of the initiative, that are directed by  
17 youth participants for youth pursuant to section 142A.9.

18 (4) For the period beginning on the effective date of  
19 this subparagraph through the close of the fiscal year ending  
20 on June 30, 2011, except for activities provided during the  
21 period through a contract or other legally binding obligation  
22 entered into prior to the period that cannot be canceled  
23 without penalty, the department shall cancel smoking cessation  
24 and prevention efforts funded in whole or in part under this  
25 paragraph "a". The efforts subject to this subparagraph  
26 shall include but are not limited to the just eliminate  
27 lies initiative and other expenditures relating to the youth  
28 programs addressed in subparagraph (3) and the quitline Iowa  
29 initiative. The department of human services shall revise  
30 eligibility provisions for smoking cessation medications and  
31 related services under the medical assistance program to  
32 replace the requirements for referral by the quitline Iowa  
33 initiative with a requirement for a physician prescription  
34 or referral or other suitable requirement. The joint  
35 appropriations subcommittee on health and human services, in

1 consultation with the standing committees on human resources  
2 of the senate and house of representatives, shall recommend  
3 legislation to revise the youth programs addressed by  
4 subparagraph (3) effective July 1, 2011, in order to eliminate  
5 unnecessary, wasteful expenditures.

6 COMMUNITY CAPACITY

7 Sec. 60. 2010 Iowa Acts, chapter 1192, section 2, subsection  
8 4, unnumbered paragraph 1, is amended to read as follows:

9 For strengthening the health care delivery system at the  
10 local level, and for not more than the following full-time  
11 equivalent positions:

12 .....	\$	<del>5,503,037</del>
13 .....		<u>5,398,037</u>
14 .....	FTEs	21.00

15 Sec. 61. 2010 Iowa Acts, chapter 1192, section 2, subsection  
16 4, paragraph h, subparagraph (1), amended to read as follows:

17 (1) Of the funds appropriated in this subsection, ~~\$180,000~~  
18 \$120,000 shall be used for continued implementation of  
19 the recommendations of the direct care worker task force  
20 established pursuant to, based upon the report submitted to  
21 the governor and the general assembly in December 2006. The  
22 department may use a portion of the funds allocated in this  
23 paragraph for an additional position to assist in the continued  
24 implementation.

25 Sec. 62. 2010 Iowa Acts, chapter 1192, section 2, subsection  
26 4, paragraph i, subparagraph (1), is amended to read as  
27 follows:

28 (1) Of the funds appropriated in this subsection, ~~\$135,000~~  
29 \$90,000 shall be used for allocation to an independent  
30 statewide direct care worker association for education,  
31 outreach, leadership development, mentoring, and other  
32 initiatives intended to enhance the recruitment and retention  
33 of direct care workers in health and long-term care.

34 HEALTHY AGING — PUBLIC PROTECTION

35 Sec. 63. 2010 Iowa Acts, chapter 1192, section 2,

1 subsections 5 and 8, are amended to read as follows:

2 5. HEALTHY AGING

3 To provide public health services that reduce risks and  
4 invest in promoting and protecting good health over the  
5 course of a lifetime with a priority given to older Iowans and  
6 vulnerable populations:

7 ..... \$ ~~8,045,779~~  
8 7,745,779

9 a. Of the funds appropriated in this subsection, ~~\$2,209,696~~  
10 \$2,127,316 shall be used for local public health nursing  
11 services.

12 b. Of the funds appropriated in this subsection, ~~\$5,836,083~~  
13 5,618,463 shall be used for home care aide services.

14 8. PUBLIC PROTECTION

15 For protecting the health and safety of the public through  
16 establishing standards and enforcing regulations, and for not  
17 more than the following full-time equivalent positions:

18 ..... \$ ~~3,287,987~~  
19 3,237,987  
20 ..... FTEs 130.00

21 a. Of the funds appropriated in this subsection, not more  
22 than \$471,690 shall be credited to the emergency medical  
23 services fund created in section 135.25. Moneys in the  
24 emergency medical services fund are appropriated to the  
25 department to be used for the purposes of the fund.

26 b. Of the funds appropriated in this subsection, \$234,229  
27 shall be used for sexual violence prevention programming  
28 through a statewide organization representing programs serving  
29 victims of sexual violence through the department's sexual  
30 violence prevention program. The amount allocated in this  
31 lettered paragraph shall not be used to supplant funding  
32 administered for other sexual violence prevention or victims  
33 assistance programs.

34 c. Of the funds appropriated in this subsection, not more  
35 than \$485,520 shall be used for the state poison control

1 center.

2 ~~d. Of the funds appropriated in this subsection, \$50,000~~  
3 ~~shall be used for education, testing, training, and other costs~~  
4 ~~to conform the requirements for certification of emergency~~  
5 ~~medical care providers with national standards.~~

6 FAMILY PLANNING WAIVER

7 Sec. 64. 2010 Iowa Acts, chapter 1192, section 11,  
8 subsection 24, is amended to read as follows:

9 24. a. The department of human services shall amend  
10 the medical assistance waiver for the Iowa family planning  
11 network to continue the current waiver with the following  
12 modifications, to be effective ~~July 1, 2011~~ as soon as  
13 federal approval can be obtained, which provide for all of the  
14 following:

15 (1) Coverage for women who meet all of the following  
16 criteria:

17 (a) ~~Are uninsured or have health insurance coverage that~~  
18 ~~does not include coverage for benefits provided under the Iowa~~  
19 ~~family planning network.~~

20 (b) Have income of up to ~~300~~ 133 percent of the federal  
21 poverty level.

22 (c) Are under ~~55~~ 45 years of age.

23 ~~(2) Coverage of pregnancy prevention services for men who~~  
24 ~~meet the income, age, and insurance coverage specifications~~  
25 ~~described in subparagraph (1).~~

26 b. Implementation of this subsection is contingent upon  
27 approval of the medical assistance waiver for the Iowa family  
28 planning network by the centers for Medicare and Medicaid  
29 services of the United States department of health and human  
30 services and upon availability of funding as determined by the  
31 director of the department of human services.

32 c. Of the funds appropriated in this section, \$25,000 shall  
33 be used for administrative costs for renewal and modification  
34 of the Iowa family planning network waivers as provided in this  
35 subsection.

CHILD AND FAMILY SERVICES — SHELTER CARE

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Sec. 65. 2010 Iowa Acts, chapter 1192, section 19, subsection 1, is amended to read as follows:

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child and family services:

.....	\$ <del>79,593,023</del>
	<u>79,127,023</u>

Sec. 66. 2010 Iowa Acts, chapter 1192, section 19, subsection 7, paragraph a, is amended to read as follows:

a. Notwithstanding section 234.35 or any other provision of law to the contrary, state funding for shelter care shall be limited to ~~\$7,894,147~~ \$7,428,147. The department may continue or amend shelter care provider contracts to include the child welfare emergency services for children that were implemented pursuant to 2008 Iowa Acts, chapter 1187, section 16, subsection 7. An appropriate amount of the funds allocated in this subsection may be used for wraparound and emergency services to prevent the need for shelter care services, including such services for children who have an immediate need for shelter care services but are ineligible due to income, status, or other requirement. The funding shall be expended by providers in a manner that does not impinge upon the availability of beds for eligible children.

Sec. 67. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION VIII

INFRASTRUCTURE AND TRANSPORTATION

Sec. 68. PLANTINGS FOR AESTHETIC PURPOSES. For the period beginning on the effective date of this section through the close of the fiscal year ending June 30, 2011, the department

1 of transportation shall not pay for wildflowers or other plants  
2 intended for aesthetic purposes.

3 Sec. 69. Section 28I.4, subsection 1, Code 2011, is amended  
4 to read as follows:

5 1. The commission shall have the power and duty to make  
6 comprehensive studies and plans for the development of the  
7 area it serves which will guide the unified development of  
8 the area and which will eliminate planning duplication and  
9 promote economy and efficiency in the coordinated development  
10 of the area and the general welfare, convenience, safety, and  
11 prosperity of its people. The plan or plans collectively  
12 shall be known as the regional or metropolitan development  
13 plan. The plans for the development of the area may include  
14 but shall not be limited to recommendations with respect to  
15 existing and proposed highways, bridges, airports, streets,  
16 parks and recreational areas, schools and public institutions  
17 and public utilities, public open spaces, and sites for public  
18 buildings and structures; districts for residence, business,  
19 industry, recreation, agriculture, and forestry; water supply,  
20 sanitation, drainage, protection against floods and other  
21 disasters; areas for housing developments, slum clearance  
22 and urban renewal and redevelopment; location of private  
23 and public utilities, including but not limited to sewerage  
24 and water supply systems; and such other recommendations  
25 concerning current and impending problems as may affect the  
26 area served by the commission. Time and priority schedules and  
27 cost estimates for the accomplishment of the recommendations  
28 may also be included in the plans. ~~The plans shall be made  
29 with consideration of the smart planning principles under  
30 section 18B.1.~~ The plans shall be based upon and include  
31 appropriate studies of the location and extent of present  
32 and anticipated populations; social, physical, and economic  
33 resources, problems and trends; and governmental conditions and  
34 trends. The commission is also authorized to make surveys,  
35 land-use studies, and urban renewal plans, provide technical

1 services and other planning work for the area it serves and  
2 for cities, counties, and other political subdivisions in the  
3 area. A plan or plans of the commission may be adopted, added  
4 to, and changed from time to time by a majority vote of the  
5 planning commission. The plan or plans may in whole or in part  
6 be adopted by the governing bodies of the cooperating cities  
7 and counties as the general plans of such cities and counties.  
8 The commission may also assist the governing bodies and other  
9 public authorities or agencies within the area it serves  
10 in carrying out any regional plan or plans, and assist any  
11 planning commission, board or agency of the cities and counties  
12 and political subdivisions in the preparation or effectuation  
13 of local plans and planning consistent with the program of the  
14 commission. The commission may cooperate and confer, as far as  
15 possible, with planning agencies of other states or of regional  
16 groups of states adjoining its area.

17 Sec. 70. Section 329.3, Code 2011, is amended to read as  
18 follows:

19 **329.3 Zoning regulations — powers granted.**

20 Every municipality having an airport hazard area within  
21 its territorial limits may adopt, administer, and enforce  
22 in the manner and upon the conditions prescribed by this  
23 chapter, zoning regulations for such airport hazard area,  
24 which regulations may divide such area into zones and, within  
25 such zones, specify the land uses permitted, and regulate  
26 and restrict, for the purpose of preventing airport hazards,  
27 the height to which structures and trees may be erected or  
28 permitted to grow. ~~Regulations adopted under this chapter~~  
29 ~~shall be made with consideration of the smart planning~~  
30 ~~principles under section 18B.1.~~

31 Sec. 71. Section 335.5, subsections 3 and 4, Code 2011, are  
32 amended by striking the subsections.

33 Sec. 72. Section 335.8, subsection 2, Code 2011, is amended  
34 by striking the subsection.

35 Sec. 73. Section 414.3, subsections 3 and 4, Code 2011, are

1 amended by striking the subsections.

2 Sec. 74. Section 414.6, subsection 2, Code 2011, is amended  
3 by striking the subsection.

4 Sec. 75. REPEAL. Section 16.194A, Code 2011, is repealed.

5 Sec. 76. REPEAL. Chapter 18B, Code 2011, is repealed.

6 Sec. 77. REPEAL. 2010 Iowa Acts, chapter 1184, section 25,  
7 is repealed.

8 Sec. 78. RECISION OF AWARDS. Any award to a city or county  
9 that applies smart planning principles and guidelines pursuant  
10 to sections 18B.1 and 18B.2, Code 2011, granted from moneys  
11 appropriated pursuant to 2010 Iowa Acts, chapter 1184, section  
12 10, subsection 4, paragraph "b", for which a contract has  
13 not been entered into by the effective date of this section,  
14 shall be rescinded. The Iowa jobs board shall not award any  
15 additional such grants on or after the effective date of this  
16 section.

17 Sec. 79. SUSTAINABLE COMMUNITIES — JOINT APPROPRIATIONS  
18 SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND  
19 CAPITALS. The joint appropriations subcommittee on  
20 transportation, infrastructure, and capitals shall develop  
21 and, on or before April 4, 2011, shall submit recommended  
22 implementation provisions to the general assembly's committees  
23 on appropriations in proposed legislation concerning reductions  
24 of all identifiable appropriations enacted by the Eighty-third  
25 General Assembly, 2010 session, for purposes of sustainable  
26 communities projects.

27 Sec. 80. 2010 Iowa Acts, chapter 1184, section 1, subsection  
28 1, paragraph c, unnumbered paragraph 1, is amended to read as  
29 follows:

30 For the state's share of support in conjunction with the  
31 city of Des Moines and local area businesses to provide a  
32 free shuttle service to the citizens of Iowa that includes  
33 transportation between the capitol complex and the downtown  
34 Des Moines area, notwithstanding section 8.57, subsection 6,  
35 paragraph "c":

1 ..... \$ 200,000  
2 ..... 125,000

3 Sec. 81. 2010 Iowa Acts, chapter 1184, section 1, subsection  
4 7, paragraph c, is amended to read as follows:

5 c. For costs associated with the hiring and employment of an  
6 asset manager at Honey creek resort state park, notwithstanding  
7 section 8.57, subsection 6, paragraph "c":

8 ..... \$ 100,000  
9 ..... 26,200

10 ~~The department shall issue a request for proposals to~~  
11 ~~competitively procure the services of an asset manager which~~  
12 ~~shall be selected by the natural resource commission. The~~  
13 ~~asset manager shall have hospitality management experience~~  
14 ~~of at least five years including at least three years asset~~  
15 ~~management experience in a setting similar in size and quality~~  
16 ~~to the Honey creek resort state park with a similar type of~~  
17 ~~market. The duties and job responsibilities of the asset~~  
18 ~~manager shall include but are not limited to reviewing and~~  
19 ~~commenting on the resort's sales and marketing plan, providing~~  
20 ~~for the operation of the resort in a manner consistent with~~  
21 ~~the requirements and limitations set forth in the resort's~~  
22 ~~operating agreement, monitoring and supervising the resort~~  
23 ~~including site visits, and negotiating and recommending an~~  
24 ~~annual operating budget and budget plan. The asset manager~~  
25 ~~shall report to bond counsel, the governor, the Honey creek~~  
26 ~~authority, the department of natural resources, and the~~  
27 ~~legislative services agency.~~

28 Sec. 82. 2009 Iowa Acts, chapter 184, section 1, subsection  
29 12, paragraph a, as amended by 2010 Iowa Acts, chapter 1184,  
30 section 71, is amended to read as follows:

31 a. For deposit in the passenger rail service revolving  
32 fund created in section 327J.2, notwithstanding section 8.57,  
33 subsection 6, paragraph "c":

34 ..... \$ 3,000,000  
35 ..... 302,007

1 Sec. 83. 2010 Iowa Acts, chapter 1184, section 2, subsection  
2 3, is amended to read as follows:

3 3. DEPARTMENT OF TRANSPORTATION

4 For deposit into the passenger rail service revolving  
5 fund created in section 327J.2 for matching federal funding  
6 available through the federal Passenger Rail Investment  
7 and Improvement Act of 2008 for passenger rail service,  
8 notwithstanding section 8.57, subsection 6, paragraph "c":  
9 FY 2011-2012..... \$ 6,500,000  
10 0

11 ~~It is the intent of the general assembly to fund up to~~  
12 ~~\$20 million over a four-year period to fully fund the state~~  
13 ~~commitment for matching federal funding available through the~~  
14 ~~federal Passenger Rail Investment and Improvement Act of 2008.~~

15 Sec. 84. 2010 Iowa Acts, chapter 1184, section 16, is  
16 amended to read as follows:

17 SEC. 16. There is appropriated from the Iowa comprehensive  
18 petroleum underground storage tank fund to the department of  
19 transportation for the fiscal year beginning July 1, 2010, and  
20 ending June 30, 2011, the following amount, or so much thereof  
21 as is necessary, to be used for the purposes designated:

22 Notwithstanding section 455G.3, subsection 1, for deposit in  
23 the passenger rail service revolving fund created in section  
24 327J.2:  
25 ..... \$ 2,000,000  
26 500,000

27 ~~Such funds shall be coupled with the remaining unobligated~~  
28 ~~balance of up to one million five hundred thousand dollars from~~  
29 ~~the appropriation made in 2009 Iowa Acts, chapter 184, section~~  
30 ~~1, subsection 12, paragraph "a", for a total commitment of~~  
31 ~~three million five hundred thousand dollars for the fiscal year~~  
32 ~~beginning July 1, 2010, and ending June 30, 2011, for matching~~  
33 ~~federal funding available through the Passenger Rail Investment~~  
34 ~~and Improvement Act of 2008.~~

35 Sec. 85. 2008 Iowa Acts, chapter 1179, section 1, subsection

1 13, paragraph c, as amended by 2009 Iowa Acts, chapter 184,  
2 section 22, is amended by striking the paragraph.

3 Sec. 86. EFFECTIVE UPON ENACTMENT. This division of this  
4 Act, being deemed of immediate importance, takes effect upon  
5 enactment.

6 DIVISION IX  
7 JUSTICE SYSTEM

8 Sec. 87. 2010 Iowa Acts, chapter 1185, section 1, subsection  
9 1, paragraph a, is amended by adding the following new  
10 unnumbered paragraph:

11 NEW UNNUMBERED PARAGRAPH. In cases that are not considered  
12 unusually complicated pursuant to the rules adopted by the  
13 state public defender where either the state public defender  
14 approves a claim in excess of a fee limitation established  
15 under section 13B.4, subsection 4, or upon the court ordering  
16 the state public defender to approve such a claim in excess  
17 of the fee limitations, an amount equal to the portion of the  
18 claim in excess of the fee limitation approved by the state  
19 public defender or ordered by the court shall be transferred  
20 by the judicial branch from the moneys appropriated in this  
21 lettered paragraph to the revolving fund created in section  
22 602.1302. Notwithstanding section 602.1302, the judicial  
23 branch shall transfer moneys credited to the revolving fund  
24 pursuant to this unnumbered paragraph to the state public  
25 defender to be credited to the indigent defense fund created  
26 in section 815.11. Moneys credited to the indigent defense  
27 fund pursuant to this unnumbered paragraph shall be used to  
28 reimburse the state public defender by applying the same  
29 procedures used to reimburse the state public defender for  
30 attorney fees paid pursuant to section 600A.6B.

31 Sec. 88. 2010 Iowa Acts, chapter 1190, section 10, is  
32 amended to read as follows:

33 SEC. 10. STATE PUBLIC DEFENDER. There is appropriated from  
34 the general fund of the state to the office of the state public  
35 defender of the department of inspections and appeals for the

1 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
2 the following amounts, or so much thereof as is necessary, to  
3 be allocated as follows for the purposes designated:

4 1. For salaries, support, maintenance, miscellaneous  
5 purposes, and for not more than the following full-time  
6 equivalent positions:

7 ..... \$ 21,743,182  
8 ..... FTEs 203.00

9 2. For the fees of court-appointed attorneys for indigent  
10 adults and juveniles, in accordance with section 232.141 and  
11 chapter 815:

12 ..... \$ ~~15,680,929~~  
13 ..... 31,680,929

14 Sec. 89. EFFECTIVE UPON ENACTMENT. This division of this  
15 Act, being deemed of immediate importance, takes effect upon  
16 enactment.

17 DIVISION X

18 POWER FUND — OFFICE OF ENERGY INDEPENDENCE

19 Sec. 90. REPEAL. Sections 469.9 and 469.10, Code 2011, are  
20 repealed.

21 Sec. 91. REPEAL. Sections 469.1, 469.2, 469.3, 469.4,  
22 469.5, 469.6, 469.7, 469.8, and 469.11, Code 2011, are  
23 repealed.

24 Sec. 92. TRANSITION PROVISIONS — DEPARTMENTAL  
25 AUTHORITY. Beginning on the effective date of this section,  
26 the department of economic development shall assume the  
27 duties of the office of energy independence until otherwise  
28 determined by the general assembly. During the 2011 session of  
29 the Eighty-fourth General Assembly, the joint appropriations  
30 subcommittee on economic development shall include Code  
31 provisions relating to the repeal of chapter 469 and the  
32 transfer of departmental authority from the office of energy  
33 independence to another state entity in a proposed committee  
34 on appropriations bill.

35 Sec. 93. TRANSITION PROVISIONS — CONTINUATION OF GRANTS.

1 1. Any moneys remaining in any account or fund under the  
2 control of the office of energy independence on the effective  
3 date of this division relative to the provisions of this  
4 division shall be transferred to a comparable fund or account  
5 under the control of the department of economic development  
6 for such purposes, until otherwise determined by the general  
7 assembly. Notwithstanding section 8.33, the moneys transferred  
8 in accordance with this subsection shall not revert to the  
9 account or fund from which appropriated or transferred.

10 2. Any license, permit, or contract issued or entered  
11 into by the office of energy independence relative to the  
12 provisions of this division in effect on the effective date  
13 of this division shall continue in full force and effect  
14 pending transfer of such licenses, permits, or contracts to the  
15 department of economic development, until otherwise determined  
16 by the general assembly.

17 3. Grants or loans awarded from the Iowa power fund  
18 pursuant to section 469.9 prior to the effective date of  
19 this division shall continue as provided by the terms of the  
20 grants or loans and shall be administered by the department of  
21 economic development, until otherwise determined by the general  
22 assembly.

23 4. Federal funds utilized by the director of the office  
24 of energy independence prior to the effective date of this  
25 division to employ personnel necessary to administer the  
26 provisions of this division shall be applicable to the transfer  
27 of such personnel from the office of energy independence to the  
28 department of economic development, or other state agency as  
29 determined by the general assembly.

30 Sec. 94. EFFECTIVE UPON ENACTMENT. Except for the section  
31 of this division repealing sections 469.9 and 469.10, which  
32 shall take effect July 1, 2011, this division of this Act,  
33 being deemed of immediate importance, takes effect upon  
34 enactment.

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DIVISION XI

REBUILD IOWA OFFICE

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Sec. 95. Section 16.191, subsection 2, paragraph e, Code 2011, is amended to read as follows:

~~e. The executive director of the rebuild Iowa office or the director's designee until June 30, 2011, and then~~  
the administrator of the homeland security and emergency management division of the department of public defense or the administrator's designee.

Sec. 96. Section 29C.20B, subsection 1, Code 2011, is amended to read as follows:

1. ~~The rebuild Iowa office shall work with the~~ department of human services and nonprofit, voluntary, and faith-based organizations active in disaster recovery and response in coordination with the homeland security and emergency management division shall work to establish a statewide system of disaster case management to be activated following the governor's proclamation of a disaster emergency or the declaration of a major disaster by the president of the United States for individual assistance purposes. Under the system, the department of human services shall coordinate case management services locally through local committees as established in each local emergency management commission's emergency plan. ~~Beginning July 1, 2011, the department of human services shall assume the duties of the rebuild Iowa office under this subsection.~~

Sec. 97. Section 29C.20B, subsection 2, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The department of human services, in conjunction with ~~the rebuild Iowa office,~~ the homeland security and emergency management division, and an Iowa representative to the national voluntary organizations active in disaster, shall adopt rules pursuant to chapter 17A to create coordination mechanisms and standards for the establishment and implementation of a statewide system of disaster case management which shall include at least all of the following:

1     Sec. 98. Section 103A.8C, subsection 1, Code 2011, is  
2 amended to read as follows:

3     1. The commissioner, after consulting with and receiving  
4 recommendations from the department of public defense, and  
5 the department of natural resources, ~~and the rebuild Iowa~~  
6 ~~office~~, shall adopt rules pursuant to chapter 17A specifying  
7 standards and requirements for design and construction of safe  
8 rooms and storm shelters. In developing these standards, the  
9 commissioner shall consider nationally recognized standards.  
10 The standards and requirements shall be incorporated into the  
11 state building code established in section 103A.7, but shall  
12 not be interpreted to require the inclusion of a safe room or  
13 storm shelter in a building construction project unless such  
14 inclusion is expressly required by another statute or by a  
15 federal statute or regulation. However, if a safe room or  
16 storm shelter is included in any building construction project  
17 which reaches the design development phase on or after January  
18 1, 2011, compliance with the standards developed pursuant to  
19 this section shall be required.

20     Sec. 99. Section 466B.3, subsection 4, paragraph n, Code  
21 2011, is amended by striking the paragraph.

22     Sec. 100. 2009 Iowa Acts, chapter 169, section 10,  
23 subsection 6, is amended to read as follows:

24     6. This section is repealed ~~June 30, 2011~~ on the effective  
25 date of this section of this 2011 Iowa Act.

26     Sec. 101. 2010 Iowa Acts, chapter 1189, section 28, is  
27 amended to read as follows:

28     SEC. 28. REBUILD IOWA OFFICE.

29     1. There is appropriated from the general fund of the state  
30 to the rebuild Iowa office for the fiscal year beginning July  
31 1, 2010, and ending June 30, 2011, the following amount, or  
32 so much thereof as is necessary, to be used for the purposes  
33 designated:

34     For salaries, support, maintenance, and miscellaneous  
35 purposes, and for not more than the following full-time

1 equivalent positions:

2 .....	\$	<del>647,014</del>
3		<u>531,014</u>
4 .....	FTEs	12.00

5 It is the intent of the general assembly that the rebuild  
6 Iowa office shall be repealed effective June 30, 2011, and  
7 shall not receive an appropriation from the general fund of the  
8 state after that date.

9 2. a. Of the moneys appropriated in this section, \$50,000  
10 shall be transferred to the homeland security and emergency  
11 management division of the department of public defense for  
12 purposes of assuming the duties of the rebuild Iowa office.

13 b. For purposes of assuming the duties of the rebuild Iowa  
14 office, the homeland security and emergency management division  
15 of the department of public defense shall be authorized an  
16 additional 0.5 FTEs above those otherwise authorized to the  
17 division.

18 c. This subsection shall take effect on the effective date  
19 of this section of this 2011 Iowa Act.

20 Sec. 102. REBUILD IOWA OFFICE ELIMINATION — TRANSFER  
21 OF DUTIES. Beginning on the effective date of this division  
22 of this Act, the homeland security and emergency management  
23 division of the department of public defense shall assume all  
24 duties of the rebuild Iowa office.

25 Sec. 103. REBUILD IOWA OFFICE ELIMINATION — JOINT  
26 APPROPRIATIONS SUBCOMMITTEE ON THE JUSTICE SYSTEM. The joint  
27 appropriations subcommittee on the justice system shall consult  
28 with the homeland security and emergency management division  
29 of the department of public defense and other relevant sources  
30 in proposing legislation identifying the appropriate state  
31 agencies to assume the duties of the rebuild Iowa office.

32 Sec. 104. EFFECTIVE UPON ENACTMENT. This division of this  
33 Act, being deemed of immediate importance, takes effect upon  
34 enactment.

35

DIVISION XII

1                   GROW IOWA VALUES FUND AND PROGRAM

2       Sec. 105. Section 15.103, subsection 6, Code 2011, is  
3 amended to read as follows:

4       6. As part of the organizational structure of the  
5 department, the board shall establish a due diligence  
6 committee and a loan and credit guarantee committee composed  
7 of members of the board. The committees shall serve in an  
8 advisory capacity to the board and shall carry out any duties  
9 assigned by the board in relation to programs administered  
10 by the department. The loan and credit guarantee committee  
11 shall advise the board on the winding up of loan guarantees  
12 made under the loan and credit guarantee program established  
13 pursuant to section 15E.224, Code 2009, ~~and on the proper~~  
14 ~~amount of the allocation described in section 15G.111,~~  
15 ~~subsection 4, paragraph "g".~~

16       Sec. 106. Section 15.104, subsection 1, Code 2011, is  
17 amended by striking the subsection.

18       Sec. 107. Section 15.104, subsection 8, paragraphs b and i,  
19 Code 2011, are amended by striking the paragraphs.

20       Sec. 108. Section 15.104, subsection 8, paragraph j, Code  
21 2011, is amended to read as follows:

22       *j. Renewable fuel programs.* A detailed accounting of  
23 expenditures in support of renewable fuel infrastructure  
24 programs, as provided in sections 15G.203 and 15G.204. ~~The~~  
25 ~~renewable fuel infrastructure board established in section~~  
26 ~~15G.202 shall approve that portion of the department's annual~~  
27 ~~report regarding projects supported from the grow Iowa values~~  
28 ~~fund created in section 15G.111.~~ This paragraph is repealed on  
29 July 1, 2012.

30       Sec. 109. Section 15.327, Code 2011, is amended by adding  
31 the following new subsections:

32       NEW SUBSECTION. 01. "*Base employment level*" means the  
33 number of full-time equivalent positions at a business,  
34 as established by the department and a business using the  
35 business's payroll records, as of the date a business applies

1 for financial assistance under the program.

2 NEW SUBSECTION. 3A. "*County wage*" means the average hourly  
3 compensation rates, excluding the value of nonwage benefits for  
4 comparable jobs, from the most recent four quarters of wage  
5 and employment information from the quarterly covered wage and  
6 employment data report issued by the department of workforce  
7 development.

8 NEW SUBSECTION. 7A. "*Full-time equivalent position*" means  
9 a non-part-time position for the number of hours or days per  
10 week considered to be full-time work for the kind of service  
11 or work performed for an employer. Typically, a full-time  
12 equivalent position requires two thousand eighty hours of work  
13 in a calendar year, including all paid holidays, vacations,  
14 sick time, and other paid leave.

15 NEW SUBSECTION. 7B. "*Maintenance period*" means the period  
16 of time between the project completion date and maintenance  
17 period completion date.

18 NEW SUBSECTION. 12A. "*Regional wage*" means the average  
19 hourly compensation rates, excluding the value of nonwage  
20 benefits for comparable jobs, from the most recent four  
21 quarters of wage and employment information from the quarterly  
22 covered wage and employment data report issued by the  
23 department of workforce development.

24 Sec. 110. Section 15.327, subsections 1, 4, 7, 8, 10, 12,  
25 and 13, Code 2011, are amended by striking the subsections and  
26 inserting in lieu thereof the following:

27 1. "*Benefit*" means nonwage compensation provided to an  
28 employee. Benefits typically include medical and dental  
29 insurance plans, pension, retirement, and profit-sharing plans,  
30 child care services, life insurance coverage, vision insurance  
31 coverage, disability insurance coverage, and any other nonwage  
32 compensation as determined by the board.

33 4. "*Created job*" means a new, permanent, full-time  
34 equivalent position added to a business's payroll in excess of  
35 the business's base employment level.

1 7. "*Fiscal impact ratio*" means a ratio calculated by  
2 estimating the amount of taxes to be received from a business  
3 by the state and dividing the estimate by the estimated cost  
4 to the state of providing certain financial incentives to  
5 the business, reflecting a ten-year period of taxation and  
6 incentives and expressed in terms of current dollars. For  
7 purposes of the program, "*fiscal impact ratio*" does not include  
8 taxes received by political subdivisions.

9 8. "*Maintenance period completion date*" means the date on  
10 which the maintenance period ends.

11 10. "*Project completion date*" means the date by which  
12 a recipient of financial assistance has agreed to meet all  
13 the terms and obligations contained in an agreement with the  
14 department as described in section 15.330.

15 12. "*Qualifying wage threshold*" means the county wage or the  
16 regional wage, as calculated pursuant to subsections 3A and  
17 12A, whichever is lower.

18 13. "*Retained job*" means a full-time equivalent position,  
19 in existence at the time an employer applies for financial  
20 assistance which remains continuously filled or authorized  
21 to be filled as soon as possible and which is at risk of  
22 elimination if the project for which the employer is seeking  
23 assistance does not proceed.

24 Sec. 111. Section 15.329, subsection 2, Code 2011, is  
25 amended to read as follows:

26 2. A business providing a sufficient package of benefits to  
27 each employee holding a created or retained job shall qualify  
28 for a credit against the qualifying wage threshold requirements  
29 described in subsection 1, paragraph "c". The credit shall be  
30 calculated and applied in the following manner: ~~described in~~  
31 ~~section 15G.112, subsection 4, paragraph "b".~~

32 a. By multiplying the qualifying wage threshold of  
33 the county in which the business is located by one and  
34 three-tenths.

35 b. By multiplying the result of paragraph "a" by one-tenth.

1 c. The amount of the result of paragraph "b" shall be  
2 credited against the amount of the one hundred thirty percent  
3 qualifying wage threshold requirement that the business is  
4 required to meet under subsection 1, paragraph "c".

5 d. The credit shall not be applied against the one hundred  
6 percent of qualifying wage threshold requirement described in  
7 subsection 1, paragraph "c".

8 Sec. 112. Section 15.330, subsection 4, Code 2011, is  
9 amended to read as follows:

10 4. A project completion date, a maintenance period  
11 completion date, the number of jobs to be created or retained,  
12 or certain other terms and obligations described in ~~section~~  
13 ~~15G.112, subsection 1, paragraph "d"~~ an agreement, as the  
14 department deems necessary in order to make the requirements in  
15 project agreements uniform. The department, with the approval  
16 of the board, may adopt rules as necessary for making such  
17 requirements uniform. Such rules shall be in compliance with  
18 the provisions of this part ~~and with the provisions of chapter~~  
19 ~~15G.~~

20 Sec. 113. Section 15.335A, subsection 1, unnumbered  
21 paragraph 1, Code 2011, is amended to read as follows:

22 Tax incentives are available to eligible businesses as  
23 provided in this section. The incentives are based upon the  
24 number of jobs created or retained that pay at least one  
25 hundred thirty percent of the qualifying wage threshold as  
26 computed pursuant to ~~section 15G.112~~ 15.329, subsection 4 1,  
27 and the amount of the qualifying investment made according to  
28 the following schedule:

29 Sec. 114. Section 15.335A, subsection 2, paragraphs b, c, f,  
30 and g, Code 2011, are amended by striking the paragraphs.

31 Sec. 115. Section 15.335A, subsection 5, Code 2011, is  
32 amended to read as follows:

33 5. The department shall negotiate the amount of tax  
34 incentives provided to an applicant under the program  
35 in accordance with this section ~~and section 15G.112, as~~

1 applicable.

2 Sec. 116. Section 15A.7, subsection 3, Code 2011, is amended  
3 to read as follows:

4 3. That the employer shall agree to pay wages for the jobs  
5 for which the credit is taken of at least the county wage or  
6 the regional wage, as calculated by ~~the department~~ pursuant to  
7 section ~~15G.112, subsection 3~~ 15.327, subsections 3A and 12A,  
8 whichever is lower. Eligibility for the supplemental credit  
9 shall be based on a one-time determination of starting wages by  
10 the community college.

11 Sec. 117. Section 15E.193, subsection 1, paragraphs b  
12 through d, Code 2011, are amended to read as follows:

13 b. (1) The business shall provide a sufficient package of  
14 benefits to each employee holding a created or retained job.  
15 For purposes of this paragraph, "*created job*" and "*retained job*"  
16 have the same meaning as defined in section ~~15G.101~~ 15.327.

17 (2) The board, upon the recommendation of the department,  
18 shall adopt rules determining what constitutes a sufficient  
19 package of benefits.

20 c. The business shall pay a wage that is at least ninety  
21 percent of the qualifying wage threshold. For purposes of this  
22 paragraph, "*qualifying wage threshold*" has the same meaning as  
23 defined in section ~~15G.101~~ 15.327.

24 d. Creates or retains at least ten full-time equivalent  
25 positions and maintains them until the maintenance period  
26 completion date. For purposes of this paragraph, "*maintenance*  
27 *period completion date*" and "*full-time equivalent position*" have  
28 the same meanings as defined in section ~~15G.101~~ 15.327.

29 Sec. 118. Section 15E.231, unnumbered paragraph 1, Code  
30 2011, is amended to read as follows:

31 ~~In order for an~~ An economic development region ~~to receive~~  
32 ~~moneys under the grow Iowa values financial assistance program~~  
33 ~~established in section 15G.112, an~~ shall establish a regional  
34 development plan. An economic development region's regional  
35 development plan must be approved by the department. An

1 economic development region shall consist of not less than  
2 three counties, unless two contiguous counties have a combined  
3 population of at least three hundred thousand based on the  
4 most recent federal decennial census. An economic development  
5 region shall establish a focused economic development effort  
6 that shall include a regional development plan relating to one  
7 or more of the following areas:

8 Sec. 119. Section 15E.232, subsections 1, 3, 4, 5, 6, and 7,  
9 Code 2011, are amended by striking the subsections.

10 Sec. 120. Section 15E.351, subsection 1, Code 2011, is  
11 amended to read as follows:

12 1. The department shall establish and administer a business  
13 accelerator program to provide financial assistance for  
14 the establishment and operation of a business accelerator  
15 for technology-based, value-added agricultural, information  
16 solutions, alternative and renewable energy including the  
17 alternative and renewable energy sectors listed in section  
18 476.42, subsection 1, paragraph "a", or advanced manufacturing  
19 start-up businesses or for a satellite of an existing business  
20 accelerator. The program shall be designed to foster the  
21 accelerated growth of new and existing businesses through the  
22 provision of technical assistance. ~~The department, subject to  
23 the approval of the economic development board, may provide  
24 financial assistance under this section from moneys allocated  
25 for regional financial assistance pursuant to section 15G.111,  
26 subsection 9.~~

27 Sec. 121. Section 159A.6B, subsection 2, Code 2011, is  
28 amended to read as follows:

29 2. The office may execute contracts in order to provide  
30 technical support and outreach services for purposes of  
31 assisting and educating interested persons as provided in this  
32 section. The office may also contract with a consultant to  
33 provide part or all of these services. The office may require  
34 that a person receiving assistance pursuant to this section  
35 contribute up to fifty percent of the amount required to

1 support the costs of contracting with the consultant to provide  
2 assistance to the person. ~~The office shall assist the person~~  
3 ~~in completing any technical information required in order to~~  
4 ~~receive assistance by the department of economic development~~  
5 ~~pursuant to the value-added agriculture component of the grow~~  
6 ~~Iowa values financial assistance program established pursuant~~  
7 ~~to section 15G.112.~~

8 Sec. 122. Section 455B.104, subsection 2, Code 2011, is  
9 amended by striking the subsection.

10 Sec. 123. 2010 Iowa Acts, chapter 1184, section 26, is  
11 amended to read as follows:

12 SEC. 26. GROW IOWA VALUES FUND.

13 1. There is appropriated from the rebuild Iowa  
14 infrastructure fund to the department of economic development  
15 for deposit in the grow Iowa values fund, for the fiscal year  
16 beginning July 1, 2010, and ending June 30, 2011, the following  
17 amount, notwithstanding section 8.57, subsection 6, paragraph  
18 "c":

19 ..... \$ 38,000,000

20 2. On the effective date of this section of this 2011 Iowa  
21 Act, any unobligated and unencumbered moneys appropriated in  
22 this section and section 27 of this 2010 Iowa Act, shall revert  
23 to the general fund of the state. Any repayments of moneys  
24 loaned from moneys appropriated in this section and section 27  
25 of this 2010 Iowa Act, and received after the effective date  
26 of this 2011 Iowa Act, shall be credited to the general fund of  
27 the state.

28 Sec. 124. 2010 Iowa Acts, chapter 1184, section 27, is  
29 amended to read as follows:

30 SEC. 27. GROW IOWA VALUES FUND APPROPRIATION REDUCTION.

31 1. In lieu of the \$50,000,000 appropriated for the fiscal  
32 year beginning July 1, 2010, and ending June 30, 2011, from  
33 the grow Iowa values fund to the department of economic  
34 development pursuant to section 15G.111, subsection 3, there is  
35 appropriated from the grow Iowa values fund to the department

1 of economic development for the fiscal year beginning July 1,  
2 2010, and ending June 30, 2011, \$38,000,000 for the purposes of  
3 making expenditures pursuant to chapter 15G.

4 2. On the effective date of this section of this 2011 Iowa  
5 Act, an entity receiving moneys appropriated pursuant to this  
6 section, with the exception of moneys allocated pursuant to  
7 section 28, subsections 2 and 5, of this 2010 Iowa Act, shall  
8 cease obligating or encumbering such moneys.

9 Sec. 125. REPEAL. Section 15E.233, Code 2011, is repealed.

10 Sec. 126. REPEAL. Sections 15G.101 and 15G.109 through  
11 15G.115, Code 2011, are repealed.

12 Sec. 127. REPEAL. Section 266.19, Code 2011, is repealed.

13 Sec. 128. REPEAL. Section 455B.433, Code 2011, is repealed.

14 Sec. 129. EFFECTIVE DATE. The provisions of this division  
15 of this Act amending 2010 Iowa Acts, chapter 1184, being deemed  
16 of immediate importance, take effect upon enactment.

17 DIVISION XIII

18 COUNTY MENTAL HEALTH

19 AND DISABILITY SERVICES

20 Sec. 130. COUNTY WAITING LISTS.

21 1. There is appropriated from the general fund of the  
22 state to the department of human services for the fiscal year  
23 beginning July 1, 2010, and ending June 30, 2011, the following  
24 amount, or so much thereof as is necessary, to be used for the  
25 purposes designated:

26 To be credited to the risk pool in the property tax relief  
27 fund created in chapter 426B and expended as provided in this  
28 section:

29 ..... \$ 25,000,000

30 2. The amount appropriated in this section is appropriated  
31 from the risk pool to the department of human services for  
32 distribution as provided in this section. Notwithstanding  
33 section 8.33, moneys appropriated in this section that remain  
34 unencumbered or unobligated at the close of the fiscal year  
35 shall not revert but shall remain available for expenditure

1 for the purposes designated until the close of the succeeding  
2 fiscal year.

3 3. a. For the purposes of this section, "services fund"  
4 means a county's mental health, mental retardation, and  
5 developmental disabilities services fund created in section  
6 331.424A.

7 b. The risk pool board shall implement a process for  
8 distribution of the amount appropriated in this section to  
9 counties to be used to provide eligibility for services and  
10 other support payable from the counties' services funds for  
11 persons who are eligible under county management plans in  
12 effect as of December 31, 2010, but due to insufficient funding  
13 are on a waiting list for the services and other support. The  
14 period addressed by the funding appropriated in this section  
15 begins on or after the effective date of this section and ends  
16 June 30, 2012. Of the amount appropriated in this section, up  
17 to \$5,000,000 shall be targeted to expand medical assistance  
18 program waiver slots for those waivers for which counties pay  
19 the nonfederal share of the costs.

20 c. The general assembly finds that as of the time of  
21 enactment of this section, the funding appropriated in this  
22 section is sufficient to eliminate the need for continuing  
23 , instituting, or reinstating waiting lists during the  
24 period addressed by the appropriation. However, the process  
25 implemented by the risk pool board shall ensure there is  
26 adequate funding so that a person made eligible for services  
27 and other support from the waiting list would not be required  
28 to return to the waiting list if a later projection indicates  
29 the funding is insufficient to cover for the entire period all  
30 individuals removed from the waiting list pursuant to this  
31 section.

32 d. The funding provided in this section is intended to  
33 provide necessary services for adults in need of mental health,  
34 mental retardation, or developmental disabilities services  
35 until improvements to the current system can be developed and

1 enacted.

2 Sec. 131. ADULT MENTAL HEALTH AND DISABILITY SERVICE SYSTEM  
3 REFORM.

4 1. The general assembly finds there is need to reform the  
5 adult mental health and disability services system administered  
6 by counties to address the needs of persons with mental  
7 illness, mental retardation, or developmental disabilities.

8 Issues with the current system include the following:

9 a. Lack of a set of core services uniformly available  
10 throughout the state.

11 b. Lack of uniformity in service expenditures throughout  
12 the state.

13 c. Disparity in county levy rates for the services funds for  
14 this system.

15 d. The need to improve the array of community-based services  
16 and services to avoid the use or continued use of crisis  
17 services.

18 e. The need to expand the availability of dual diagnosis  
19 mental health and substance abuse services.

20 f. The need to improve the consistency of services available  
21 to both youth and adult populations.

22 g. The need to address the medical assistance (Medicaid)  
23 program changes in the federal Patient Protection and  
24 Affordable Care Act (PPACA) that will greatly expand the  
25 program's eligibility for persons in the service system  
26 beginning in calendar year 2014.

27 h. Dissatisfaction with using county of legal settlement  
28 determinations to determine county and state financial  
29 responsibility for services.

30 2. In order to address the issues identified in subsection  
31 1, the committees on human resources, appropriations, and ways  
32 and means of the senate and house of representatives shall  
33 propose legislation to address the following actions by the  
34 dates indicated:

35 a. Phase-in of the state fully assuming the nonfederal

1 share of the costs for Medicaid program services now borne by  
2 counties by the implementation date of the Medicaid eligibility  
3 changes under PPACA.

4 b. Provide property tax relief and equity by having the  
5 state assume a greater role in funding the adult mental health  
6 and disability services system from counties by July 1, 2012,  
7 when the repeals contained in this division of this Act take  
8 effect.

9 c. Shift the balance of responsibilities for the services  
10 system between the state and counties so that the state  
11 ensures greater uniformity and there is sufficient size to  
12 develop effective services while maintaining the county role of  
13 bringing local resources together in unique ways that best meet  
14 the needs of clients, by implementing a new services system  
15 structure by July 1, 2012, when the repeals contained in this  
16 division of this Act take effect.

17 Sec. 132. Section 331.424A, Code 2011, is amended by adding  
18 the following new subsection:

19 NEW SUBSECTION. 6. This section is repealed July 1, 2012.

20 Sec. 133. Section 331.438, Code 2011, is amended by adding  
21 the following new subsection:

22 NEW SUBSECTION. 5. This section is repealed July 1, 2012.

23 Sec. 134. Section 331.439, Code 2011, is amended by adding  
24 the following new subsection:

25 NEW SUBSECTION. 10. This section is repealed July 1, 2012.

26 Sec. 135. Section 331.440, Code 2011, is amended by adding  
27 the following new subsection:

28 NEW SUBSECTION. 7. This section is repealed July 1, 2012.

29 Sec. 136. NEW SECTION. **426B.6 Future repeal.**

30 This chapter is repealed July 1, 2012.

31 Sec. 137. **CONFORMING PROVISIONS.** The legislative services  
32 agency shall prepare a study bill for consideration by the  
33 committees on human resources of the senate and house of  
34 representatives for the 2012 legislative session, providing  
35 conforming Code changes for implementation of the repeal

1 provisions contained in this division of this Act.

2 Sec. 138. EFFECTIVE UPON ENACTMENT. This division of this  
3 Act, being deemed of immediate importance, takes effect upon  
4 enactment.

5 DIVISION XIV

6 CORRECTIVE PROVISIONS

7 EARLY CHILDHOOD IOWA INITIATIVE

8 Sec. 139. 2010 Iowa Acts, chapter 1031, section 310, is  
9 amended by adding the following new subsection:

10 5. a. References to community empowerment areas in 2010  
11 Iowa Acts, shall be deemed to instead refer to early childhood  
12 Iowa areas, including but not limited to such references made  
13 in the following provisions:

14 (1) 2010 Iowa Acts, chapter 1183, section 6, subsection 10,  
15 paragraph "c".

16 (2) 2010 Iowa Acts, chapter 1192, section 2, subsection 4,  
17 paragraph "a".

18 (3) 2010 Iowa Acts, chapter 1192, section 6, subsection 12.

19 b. References to the Iowa empowerment fund and the school  
20 ready children grants account in 2010 Iowa Acts, shall be  
21 deemed to instead refer to the early childhood Iowa fund  
22 and the comparable account within that fund, including  
23 but not limited to such references made in the following  
24 provisions: 2010 Iowa Acts, chapter 1183, section 6,  
25 subsections 10, 11, and 12.

26 UNEMPLOYMENT COMPENSATION PROGRAM REFERENCE

27 Sec. 140. 2010 Iowa Acts, chapter 1188, section 22, is  
28 amended to read as follows:

29 SEC. 22. UNEMPLOYMENT COMPENSATION

30 PROGRAM. Notwithstanding section 96.9, subsection 4, paragraph  
31 "a", moneys credited to the state by the secretary of the  
32 treasury of the United States pursuant to section 903 of the  
33 Social Security Act are appropriated to the department of  
34 workforce development and shall be used by the department for  
35 the administration of the unemployment compensation program

1 only. This appropriation shall not apply to any fiscal year  
2 beginning after December 31, ~~2009~~ 2010.

3 TERRACE HILL — DEPARTMENT OF ADMINISTRATIVE SERVICES  
4 Sec. 141. 2010 Iowa Acts, chapter 1193, section 199, is  
5 amended to read as follows:

6 SEC. 199. TERRACE HILL — GENERAL FUND — DEPARTMENT OF  
7 ADMINISTRATIVE SERVICES. There is appropriated from the  
8 general fund of the state to the department of administrative  
9 services for the fiscal year beginning July 1, ~~2009~~ 2010,  
10 and ending June 30, ~~2010~~ 2011, the following amount, or so  
11 much thereof as is necessary, to be used for the purposes  
12 designated:

13 For salaries, support, maintenance, and miscellaneous  
14 purposes necessary for the operation of Terrace Hill, and for  
15 not more than the following full-time equivalent positions:

16 .....	\$	263,329
17 .....	FTEs	6.38

18 Sec. 142. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
19 APPLICABILITY. This division of this Act, being deemed  
20 of immediate importance, takes effect upon enactment. The  
21 provision amending 2010 Iowa Acts, chapter 1193, section 199,  
22 applies retroactively to April 29, 2010, and the remaining  
23 provisions apply retroactively to July 1, 2010.

24 EXPLANATION

25 This bill relates to public funding and regulatory matters  
26 and makes, reduces, and transfers appropriations and revises  
27 fund amounts. The bill is organized into divisions.

28 TAX RELIEF FUND. This division creates the tax relief fund  
29 in new Code section 8.57E. The fund is to be used to make  
30 appropriations providing tax relief. Legislative intent is  
31 provided to enact appropriations for purposes of tax relief  
32 pursuant to recommendations made by the general assembly's  
33 standing committees on ways and means.

34 Code section 8.55 is amended to provide that when the Iowa  
35 economic emergency fund achieves its maximum balance the excess

1 funds are transferred to the tax relief fund instead of the  
2 general fund of the state.

3 Code section 8.58, exempting the balances in existing  
4 reserve funds from being considered in the application of any  
5 formula, index, or other statutory triggering mechanism which  
6 would affect appropriations, payments, or taxation rates, and  
7 by an arbitrator or collective bargaining negotiation under  
8 Code chapter 20, is amended by adding the new tax relief fund  
9 to the list.

10 The division takes effect upon enactment, applies to  
11 transfers made from the Iowa economic emergency fund to the  
12 tax relief fund instead of the general fund on or after the  
13 effective date, and requires the effect of such transfers to  
14 be reflected by adjusting the state general fund expenditure  
15 limitation calculated for fiscal year 2011-2012 accordingly.

16 UNIFORM PROVISIONS. This division includes requirements  
17 applicable across state government.

18 Along with new Code section 8A.440, which is also included  
19 in this division, a temporary law provision requires the  
20 state's executive and judicial branch authorities responsible  
21 for collective bargaining negotiations with applicable state  
22 employee organizations, to discuss health insurance coverage  
23 of state employees and their families in order to renegotiate  
24 such coverage to achieve cost savings for the state. One of  
25 the options to be discussed is a required monthly payment by  
26 employees of at least \$100 of the cost of single coverage or a  
27 like increase in the employee cost for family coverage.

28 Executive branch agencies are made subject to a limitation  
29 on expenditures for office supplies, outside services purchase,  
30 equipment purchases, information technology, and marketing  
31 equal to 50 percent of the unexpended or unencumbered balances  
32 remaining from the amounts budgeted for such purposes for the  
33 remainder of fiscal year 2010-2011. Regents institutions  
34 are exempted from the limitation because of appropriations  
35 reductions in another division of the bill. If another

1 provision of the bill directs an agency to apply a limitation  
2 on expenditures made for information technology or reduces  
3 the information technology portion of an appropriation made  
4 to the agency, that limitation or reduction applies in lieu  
5 of the limitation on expenditures for information technology  
6 otherwise applicable under this provision. The technology  
7 expenditure limitation does not apply to services provided  
8 or expenditures for the public broadcasting division of  
9 the department of education. In addition, authorization of  
10 out-of-state travel paid for in whole or in part from the  
11 general fund of the state for the remainder of fiscal year  
12 2010-2011 is prohibited, unless a waiver is approved by the  
13 executive council. The expenditure reductions are required to  
14 be applied to appropriations by the department of management.

15 State agencies with state records stored in flood plains are  
16 required, within six months of enactment, to find storage space  
17 for the records that is not located in flood plains.

18 The revenue estimating conference is required to meet in  
19 February or March 2011 upon request of the speaker of the house  
20 or senate majority leader. In addition, to regularly issued  
21 estimates, the conference is required to provide estimates for  
22 fiscal year 2012-2013.

23 Code section 7E.3, relating to the powers and duties of the  
24 heads of state departments and independent agencies, is amended  
25 to include a duty to ensure the public benefits administered  
26 by the department or agency are not provided to adults who are  
27 unauthorized aliens not lawfully present in the United States.

28 New Code section 8A.440 requires state employees included  
29 in or not covered by collective bargaining as provided in Code  
30 chapter 20 to pay at least \$100 per month of the total premium  
31 for state group health insurance for single persons. The  
32 requirement applies to state employees covered by collective  
33 bargaining agreements entered into on or after the effective  
34 date of the division. Current law does not specify a minimum  
35 required premium payment.

1 Code section 68B.8 is amended to prohibit a state agency  
2 of the executive branch of state government from employing a  
3 person whose position with the agency is primarily representing  
4 the agency relative to the passage, defeat, approval, or  
5 modification of legislation that is being considered by the  
6 general assembly. A person who knowingly and intentionally  
7 violates this new provision as provided under Code section  
8 68B.34 is guilty of a serious misdemeanor and may be  
9 reprimanded, suspended, or dismissed from the person's position  
10 or otherwise sanctioned. A serious misdemeanor is punishable  
11 by confinement for not more than one year and a fine of at least  
12 \$315 but not more than \$1,875.

13 The division takes effect upon enactment.

14 ADMINISTRATION AND REGULATION. This division includes  
15 provisions applicable to administration and regulatory state  
16 agencies.

17 The joint appropriations subcommittee on administration and  
18 regulation is required to submit by April 4, 2010, proposed  
19 legislation to the committees on appropriations providing  
20 for eliminating and selling the pool of general use vehicles  
21 maintained in Polk county and outsourcing state vehicle leasing  
22 to a private entity. Until the close of fiscal year, the  
23 department of administrative services is designated as the sole  
24 department to operate the vehicle pool and is prohibited from  
25 purchasing new passenger vehicles for the pool.

26 The division includes a requirement for the department  
27 of administrative services to locate state employees in  
28 office space in the most cost-efficient manner possible. The  
29 department is prohibited from paying penalties for the early  
30 termination of a lease for office space outside of the capitol  
31 complex.

32 The bill requires the Iowa telecommunications and technology  
33 commission to implement a request for proposals process to sell  
34 or lease the Iowa communications network. The bill requires  
35 the sale to be concluded or the lease to commence during the

1 fiscal year beginning July 1, 2011. New Code section 8D.13A  
2 authorizes the commission to lease network capacity, subject to  
3 various cost and revenue restrictions.

4 The department's technology service purchasing for the  
5 remainder of fiscal year 2010-2011 is limited to 50 percent of  
6 the unexpended amount remaining as of the division's effective  
7 date.

8 The department of management is directed to designate the  
9 department of administrative services as the sole provider for  
10 information technology services for purposes of providing such  
11 services to agencies and other governmental entities, with  
12 certain specified exceptions.

13 The appropriation made to the Iowa ethics and campaign  
14 disclosure board in 2010 Iowa Acts, chapter 1189, section 7,  
15 for fiscal year 2010-2011, is reduced. Any transfer made from  
16 the cash reserve fund to an appropriation for the board for the  
17 fiscal year under 2010 Iowa Acts, chapter 1193, is transferred  
18 back to the cash reserve fund.

19 AGRICULTURE AND NATURAL RESOURCES. This division addresses  
20 agriculture and natural resources.

21 The department of natural resources is prohibited from  
22 entering into any new arrangement to acquire or control new  
23 property, as defined by the bill, for the period from the  
24 provision's effective date through the close of fiscal year  
25 2010-2011. The restriction does not apply to donations. The  
26 fiscal year 2010-2011 appropriation made from the environment  
27 first fund for the Iowa resources enhancement and protection  
28 fund is reduced.

29 The division takes effect upon enactment.

30 ECONOMIC DEVELOPMENT. This division addresses economic  
31 development.

32 The save our small business fund and program in Code sections  
33 15.300 and 15.301 are repealed and moneys appropriated to the  
34 fund are eliminated. However, following the repeal, loans  
35 awarded from the fund prior to the repeal are continued as

1 provided by the terms of the loans.

2 A limitation is applied to the moneys expended by the  
3 department of cultural affairs for purposes of the great places  
4 program. The limitation is equal to any expended or encumbered  
5 amount on the effective date of the division.

6 The division repeals Code section 15.421, which relates to  
7 the generation Iowa commission.

8 2010 Iowa Acts, chapter 1186, is amended to require the  
9 department of transportation, after July 1, 2011, to not renew  
10 membership in North America's supercorridor coalition.

11 The division takes effect upon enactment.

12 EDUCATION. This division addresses education.

13 An appropriation made to the department of education in 2010  
14 Iowa Acts, chapter 1183, is amended to reduce the amount for  
15 general administration.

16 The funding for implementation of the statewide core  
17 curriculum for schools and for the career information and  
18 decision-making system are eliminated and legislative intent is  
19 stated for amending the law relating to the curriculum.

20 Fiscal year 2010-2011 appropriations for the state board  
21 of regents institutions at the university of Iowa, Iowa state  
22 university of science and technology, and the university of  
23 northern Iowa in 2010 Iowa Acts, chapter 1183, are reduced by  
24 \$10 million. Legislative intent is provided for applying \$15  
25 million reductions for each of the next two succeeding fiscal  
26 years.

27 A library acquisition limitation is applied to the state  
28 library under the department of education. The limitation  
29 is equal to 50 percent of the unexpended or unobligated  
30 amount remaining for the fiscal year that was designated for  
31 acquisitions.

32 For the period beginning on enactment and ending June 30,  
33 2012, the state board of regents is prohibited from approving  
34 paid leaves of absence, also known as professional development  
35 assignments sabbaticals, for any faculty member.

1 The statewide voluntary preschool program in Code chapter  
2 256C is repealed effective July 1, 2011, along with the  
3 associated school aid funding provisions. A statement of  
4 legislative intent calls for filling the needs addressed by the  
5 program through expansion of the preschool tuition assistance  
6 program provided through the school ready children grant  
7 program administered under the early childhood Iowa initiative.  
8 The bill makes conforming amendments.

9 The joint subcommittee on education is required to implement  
10 provisions to consolidate administrative functions at the state  
11 board of regents and the institutions under the board and at  
12 the community colleges in order to reduce the amount that would  
13 otherwise be budgeted for administrative functions for fiscal  
14 year 2011-2012.

15 Code section 257.35 is amended to reduce area education  
16 agencies budgets for fiscal year 2010-2011 and subsequent  
17 fiscal years by \$10 million.

18 The division takes effect upon enactment except as otherwise  
19 provided.

20 HEALTH AND HUMAN SERVICES. This division addresses health  
21 and human services programs.

22 Code section 217.6, relating to rules and regulations of  
23 the department of human services, is amended to require those  
24 adopted for the public benefits administered by the department  
25 to apply the residency eligibility restrictions required by  
26 federal and state law.

27 The department on aging is required to submit a plan by  
28 February 25, 2011, to various legislative committees to reduce  
29 the number of area agencies on aging to not more than five  
30 effective July 1, 2011.

31 The joint appropriations subcommittee on health and human  
32 services is directed to develop and include in appropriations  
33 legislation a new reimbursement methodology for juvenile  
34 shelter care providers for use beginning July 1, 2011. The new  
35 reimbursement methodology is required to end the practice of

1 providing reimbursement for unused shelter care beds.

2 The appropriation made in 2009 Iowa Acts, chapter 183, for  
3 the costs of the legislative health care coverage commission  
4 is reduced.

5 Appropriations and allocations made to the department of  
6 public health in 2010 Iowa Acts, chapter 1192, for addictive  
7 disorders, community capacity, healthy aging, and public  
8 protection, are reduced. The department is specifically  
9 required to cancel smoking cessation and prevention efforts,  
10 including the initiative just eliminate lies and other youth  
11 programs and the quitline Iowa initiative. The department  
12 of human services is directed to revise Medicaid program  
13 requirements regarding smoking cessation medications and  
14 related services to replace the quitline Iowa referral  
15 requirements. The joint appropriations subcommittee on health  
16 and human services is required to consult with the standing  
17 committees on human resources to recommend legislation to  
18 revise the youth programs effective July 1, 2011, in order to  
19 eliminate unnecessary and wasteful expenditures.

20 Family planning waiver provisions under the Medicaid program  
21 are revised in 2010 Iowa Acts, chapter 1192, section 11, to  
22 reduce income eligibility from the current 300 percent to 133  
23 percent of the federal poverty level, eliminate eligibility  
24 for persons whose insurance coverage does not include family  
25 planning, reduce the upper age eligibility from 55 to 45 years,  
26 and exclude pregnancy prevention services as soon as federal  
27 approval can be obtained.

28 The division takes effect upon enactment.

29 INFRASTRUCTURE AND TRANSPORTATION. This division includes  
30 provisions involving infrastructure and transportation  
31 appropriations.

32 The department of transportation is prohibited from paying  
33 for wildflowers or other plants intended for aesthetic purposes  
34 from the effective date of the bill until June 30, 2011.

35 2010 Iowa Acts, chapter 1184, eliminates an appropriation

1 from the rebuild Iowa infrastructure fund to the department of  
2 natural resources for FY 2010-2011 for purposes of an asset  
3 manager at Honey creek resort state park.

4 Code chapter 18B, relating to land use smart planning, is  
5 repealed. The division also eliminates the Iowa smart planning  
6 task force. Any award to a city or county that applies smart  
7 planning principles and guidelines pursuant to Code sections  
8 18B.1 and 18B.23, Code 2011, granted from moneys appropriated  
9 to the Iowa jobs board for a disaster prevention program  
10 that provides grants to cities and counties applying smart  
11 planning principles and guidelines, for which a contract has  
12 not been entered into by the effective date of the division,  
13 is rescinded. Additional such awards cannot be granted after  
14 the effective date of the division. The division requires  
15 the joint appropriations subcommittee on transportation,  
16 infrastructure, and capitals to make recommendations regarding  
17 reductions of all identifiable appropriations enacted by the  
18 Eighty-third General Assembly for purposes of sustainable  
19 communities projects.

20 An appropriation for purposes of a free shuttle service in  
21 Des Moines is reduced.

22 Three appropriations related to passenger rail service made  
23 in 2009 Iowa Acts, chapter 184 and 2010 Iowa Acts, chapter  
24 1184, along with a statement of legislative intent to provide  
25 funding of up to \$20 million over a four-year period to match  
26 federal funds, are eliminated or reduced.

27 An appropriation is eliminated that was made in 2008 Iowa  
28 Acts, chapter 1179, for fiscal year 2008-2009 from the rebuild  
29 Iowa infrastructure fund to the department of transportation  
30 for purposes of a depot and platform to accommodate future  
31 Amtrak service from Dubuque to Chicago.

32 The division takes effect upon enactment.

33 JUSTICE SYSTEM. This division addresses the justice system  
34 and provides a fiscal year 2010-2011 supplemental appropriation  
35 for the state public defender for indigent defense.

1 The appropriation made to the judicial branch in 2010 Iowa  
2 Acts, chapter 1185, is amended to require the judicial branch  
3 to transfer money from the appropriation to the state public  
4 defender for deposit into the indigent defense fund when an  
5 attorney fee claim exceeds the fee limitations established in  
6 Code section 13B.4 if the case is not unusually complicated as  
7 defined under 493 IAC 12.5(4). After the immediate effective  
8 date of this amendment, in each case where the state public  
9 defender approves or the court orders an attorney fee claim in  
10 excess of the fee limitations and the case is not unusually  
11 complicated, the judicial branch is required to transfer an  
12 amount equal to the portion of the fee claim in excess of the  
13 fee limitations to the jury and witness fee fund established in  
14 Code section 602.1302 for transfer to the state public defender  
15 and eventual deposit into the indigent defense fund. The  
16 transfers in this division are in response to *Simmons v. State*  
17 *Public Defender*, No. 07-0870 (Iowa 2010).

18 This division takes effect upon enactment.

19 POWER FUND. This division addresses the power fund and the  
20 office of energy independence.

21 Code chapter 469 is repealed, which provides for the  
22 establishment and administration of the office of energy  
23 independence, the Iowa power fund, and related renewable energy  
24 and energy efficiency projects. With the exception of Code  
25 sections 469.9 and 469.10 relating to the appropriation and the  
26 fund, the Code chapter is repealed effective upon enactment.  
27 Code sections 469.9 and 469.10 are repealed July 1, 2011.

28 The division provides that the department of economic  
29 development shall assume the duties of the office of energy  
30 independence until otherwise determined by the general  
31 assembly. During the 2011 Legislative Session of the  
32 Eighty-fourth General Assembly, the joint appropriations  
33 subcommittee on economic development shall include Code  
34 provisions relating to the transfer of departmental authority  
35 from the office of energy independence to another state entity

1 in a proposed committee on appropriations bill.

2 Transition provisions are included regarding the transfer of  
3 moneys retained in any account or fund under the control of the  
4 office of energy independence on the division's effective date,  
5 the continuation of any license, permit, or contract issued  
6 or entered into by the office in effect on the division's  
7 effective date, and the continuation of grants or loans awarded  
8 from the Iowa power fund prior to the division's effective  
9 date. Transition provisions are also included relating to the  
10 transfer of federal funds being utilized by the director of  
11 the office prior to the division's effective date to employ  
12 personnel necessary to administer the provisions of the  
13 division to the department or other state agency as determined  
14 by the general assembly.

15 The division takes effect upon enactment.

16 REBUILD IOWA OFFICE. This division addresses the rebuild  
17 Iowa office.

18 Currently, the rebuild Iowa office is scheduled to be  
19 repealed on June 30, 2011. This division changes the repeal  
20 date to be effective upon enactment and makes conforming  
21 amendments. All duties of the office are transferred to the  
22 homeland security and emergency management division of the  
23 department of public defense.

24 The division requires the joint appropriations subcommittee  
25 on the justice system to consult with the homeland security  
26 and emergency management division of the department of public  
27 defense and other entities in proposing legislation identifying  
28 appropriate state agencies to assume duties of the office.

29 This division takes effect upon enactment.

30 GROW IOWA VALUES FUND AND PROGRAM. This division addresses  
31 the grow Iowa values fund.

32 This division repeals Code sections related to the grow  
33 Iowa values fund and financial assistance program and makes  
34 conforming amendments. The division amends two 2010 Iowa Acts  
35 provisions to prohibit the department of economic development

1 from further obligating any moneys appropriated for purposes  
2 of the grow Iowa values fund for fiscal year 2010-2011  
3 and requires that unobligated and unencumbered moneys are  
4 credited to the general fund of the state, which take effect  
5 upon enactment. The division requires repayments on moneys  
6 loaned from the appropriated moneys to be credited to the  
7 general fund of the state.

8 COUNTY MENTAL HEALTH AND DISABILITY SERVICES. This division  
9 relates to the county administered system for adult mental  
10 health, mental retardation, and developmental disabilities  
11 services.

12 An appropriation is made from the general fund of the state  
13 to the risk pool for such county services to be used for the  
14 period beginning on the effective date of the division through  
15 June 30, 2012, to pay for the service costs of eligible persons  
16 who are on a county waiting list for the services.

17 Legislative purpose and findings are stated in a section  
18 addressing reform of the county administered system. The  
19 standing committees on human resources, appropriations, and  
20 ways and means of the senate and house of representatives are  
21 directed to propose legislation necessary to implement various  
22 actions by dates specified in the section and to address the  
23 Code repeals contained in the division.

24 The following Code provisions are repealed on July 1, 2012:  
25 section 331.424A, establishing county mental health, mental  
26 retardation, and developmental disabilities services funds and  
27 authorizing levies for the funds; section 331.438, outlining  
28 requirements for county mental health, mental retardation, and  
29 developmental disabilities services expenditures and joint  
30 state-county planning, implementing, and funding; section  
31 331.439, requiring county management plans and other provisions  
32 regarding county eligibility for state property tax relief and  
33 allowed growth funding; section 331.440, providing for creation  
34 of the county central point of coordination process and county  
35 management of state case services; and chapter 426B, relating

1 to property tax relief funding for the county administered  
2 services, risk pool funding, and related provisions.

3 The legislative services agency is directed to prepare  
4 legislation to conform other Code provisions to the repeals  
5 contained in the division.

6 The division takes effect upon enactment.

7 CORRECTIVE PROVISIONS. This division corrects session law  
8 enactments made in 2010 Iowa Acts.

9 A provision in 2010 Iowa Acts, chapter 1031, relating to  
10 state government reorganization, is amended by adding a new  
11 subsection to section 310, which provided transition language  
12 for the change in the community empowerment initiative to the  
13 early childhood Iowa initiative. The new subsection provides  
14 that references to community empowerment areas in various  
15 session law requirements are deemed to instead refer to early  
16 childhood Iowa areas. References to the school ready children  
17 account of the Iowa empowerment fund are deemed instead to  
18 refer to the comparable account in the early childhood Iowa  
19 fund. This provision is retroactively applicable to July 1,  
20 2010.

21 A date reference in 2010 Iowa Acts, chapter 1188, relating  
22 to economic development appropriations, is amended. The  
23 date reference is in section 22 and relates to federal  
24 moneys appropriated for administration of the unemployment  
25 compensation program. The appropriation is restricted to not  
26 be applicable to federal fiscal years beginning after December  
27 31, 2009, and the year date is changed by the amendment to  
28 2010. This provision is retroactively applicable to July 1,  
29 2010.

30 An appropriation made in 2010 Iowa Acts, chapter 1193,  
31 commonly referred to as the standing appropriations bill, is  
32 amended to correct the fiscal year in section 199. This fiscal  
33 year for this appropriation, made from the general fund to the  
34 department of administrative services for personnel costs at  
35 Terrace Hill, is changed from fiscal year 2009-2010 to fiscal

1 year 2010-2011. This provision is retroactively applicable to  
2 the Act's effective date of April 29, 2010.

3 The division takes effect upon enactment.